

THURSDAY, APRIL 22, 2021

TWENTY-SEVENTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Pro Tempore Marsh.

The proceedings were opened with prayer by Rep. T. Hicks.

Representative T. Hicks led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 90

Representatives present were Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Powell, Powers, Ragan, Ramsey, Reedy, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton -- 90

EXCUSED

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Byrd; illness

Representative Carter; illness

Representative Ogles; illness

Representative Rudd; business

PRESENT IN CHAMBER

Rep. Stewart was recorded as being present in the Chamber.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 51 Reps. Clemmons and Powell as prime sponsors.

House Joint Resolution No. 435 Rep. Carter as prime sponsor.

House Bill No. 229 Reps. Moody and T. Hicks as prime sponsors.

House Bill No. 476 Reps. Moon, Hardaway, Powell, Jernigan, Helton, Hodges and Marsh as prime sponsors.

House Bill No. 784 Reps. Hardaway, Moon, Parkinson, Ramsey, Faison, Freeman, T. Hicks, Hazlewood, Hodges, Thompson and Mannis as prime sponsors.

House Bill No. 785 Reps. Hardaway, Moon, Freeman, White, Faison, Parkinson, T. Hicks, Hodges, Mannis, Gillespie, Jernigan, Chism, Thompson and McKenzie as prime sponsors.

House Bill No. 1040 Reps. Moon, Travis, G. Hicks, Zachary, Parkinson, Carringer, Haston, C. Johnson, Holsclaw, Darby, Calfee, Farmer, G. Johnson, Eldridge, T. Hicks, Hodges, Williams and Gillespie as prime sponsors.

MESSAGE FROM THE SENATE
April 22, 2021

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 558, 559, 560, 561, 564, 565, 566 and 567; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Joint Resolution No. 558** -- Memorials, Academic Achievement - Kaylyn Tran, Salutatorian, Hardin Valley Academy. by *McNally, *Massey, *Briggs.

***Senate Joint Resolution No. 559** -- Memorials, Academic Achievement - Owen Cianciolo, Valedictorian, Hardin Valley Academy. by *McNally, *Massey, *Briggs.

***Senate Joint Resolution No. 560** -- Memorials, Academic Achievement - Madison Long, Salutatorian, Powell High School. by *McNally, *Massey, *Briggs.

***Senate Joint Resolution No. 561** -- Memorials, Academic Achievement - Kendal Patty, Valedictorian, Powell High School. by *McNally, *Massey, *Briggs.

***Senate Joint Resolution No. 564** -- Memorials, Interns - Jada LaJoyce Cooke. by *Akbari.

***Senate Joint Resolution No. 565** -- Memorials, Retirement - Marva Gossett Bell. by *Akbari.

THURSDAY, APRIL 22, 2021 – TWENTY-SEVENTH LEGISLATIVE DAY

***Senate Joint Resolution No. 566** -- Memorials, Retirement - George Morton Googe, 26th Judicial District Public Defender. by *Walley, *Jackson.

***Senate Joint Resolution No. 567** -- Memorials, Retirement - Ed Miller, 4th Judicial District Public Defender. by *Southerland, *Niceley.

WELCOMING AND HONORING

RECOGNITION IN THE WELL

Representative Cochran was recognized in the Well to honor Celeste Thomas on the occasion of her retirement.

RESOLUTION READ

The Clerk read House Joint Resolution No. 178, adopted March 4, 2021.

***House Joint Resolution No. 178** -- Memorials, Retirement - Celeste Thomas. by *Cochran, *Rudd, *Russell, *Moon, *Ramsey, *Garrett, *Weaver, *Carr.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for April 26, 2021:

House Resolution No. 53 -- Memorials, Retirement - Jackie Wilber. by *Lamberth.

House Resolution No. 54 -- Memorials, Death - Jennifer Tygard. by *Jernigan.

***House Joint Resolution No. 489** -- Memorials, Death - Harry Walker Wellford. by *Gillespie, *Leatherwood, *Lamar, *Harris, *Vaughan, *Camper, *White, *Sexton C.

SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolutions listed were noted as being placed on the Consent Calendar for April 26, 2021:

***Senate Joint Resolution No. 558** -- Memorials, Academic Achievement - Kaylyn Tran, Salutatorian, Hardin Valley Academy. by *McNally, *Massey, *Briggs.

***Senate Joint Resolution No. 559** -- Memorials, Academic Achievement - Owen Cianciolo, Valedictorian, Hardin Valley Academy. by *McNally, *Massey, *Briggs.

***Senate Joint Resolution No. 560** -- Memorials, Academic Achievement - Madison Long, Salutatorian, Powell High School. by *McNally, *Massey, *Briggs.

THURSDAY, APRIL 22, 2021 – TWENTY-SEVENTH LEGISLATIVE DAY

***Senate Joint Resolution No. 561** -- Memorials, Academic Achievement - Kendal Patty, Valedictorian, Powell High School. by *McNally, *Massey, *Briggs.

***Senate Joint Resolution No. 564** -- Memorials, Interns - Jada LaJoyce Cooke. by *Akbari.

***Senate Joint Resolution No. 565** -- Memorials, Retirement - Marva Gossett Bell. by *Akbari.

***Senate Joint Resolution No. 566** -- Memorials, Retirement - George Morton Googe, 26th Judicial District Public Defender. by *Walley, *Jackson.

***Senate Joint Resolution No. 567** -- Memorials, Retirement - Ed Miller, 4th Judicial District Public Defender. by *Southerland, *Niceley.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

Senate Bill No. 132 -- Human Services, Dept. of - As introduced, requires the commissioner to submit a report annually to the general assembly detailing the department's access and use of federal temporary assistance to needy families (TANF) funds. - Amends TCA Title 71, Chapter 1, Part 1. by *Crowe, *Yarbro. (*HB136 by *Hawk, *Griffey)

***Senate Bill No. 234** -- Interstate Compacts - As introduced, enacts the Solemn Covenant of the States to Award Prizes for Curing Diseases compact. - Amends TCA Title 4; Title 53; Title 56; Title 63; Title 68 and Title 71. by *Hensley, *Crowe, *Reeves. (HB829 by *Kumar)

Senate Bill No. 331 -- Criminal Offenses - As introduced, expands the offense of unlawful photography to include a photograph taken without an individual's consent and the focus of the photograph is the intimate area of the individual or would offend or embarrass an ordinary person and the photograph was taken for the purpose of sexual arousal of the defendant. - Amends TCA Title 39, Chapter 13, Part 6. by *Lundberg, *Rose. (*HB382 by *Crawford, *Lamberth, *Griffey, *Hardaway)

Senate Bill No. 484 -- Controlled Substances - As introduced, authorizes the departments of health and mental health and substance abuse services and the bureau of TennCare to provide in an electronic format the educational materials required to be made available to prescribers of medication assisted treatment and facilities that use medication-assisted treatment for the treatment of substance use disorder. - Amends TCA Title 4; Title 16, Chapter 22; Title 33; Title 38; Title 39, Chapter 17; Title 40; Title 41; Title 45; Title 50; Title 53; Title 63; Title 67 and Title 68. by *Haile. (*HB582 by *Terry, *Ramsey)

THURSDAY, APRIL 22, 2021 – TWENTY-SEVENTH LEGISLATIVE DAY

Senate Bill No. 610 -- Public Employees - As introduced, specifies that an employee of a county or municipality is not entitled to back pay if the employee is arrested and placed on administrative leave and then voluntarily separates from employment, even if the charges are dropped or the employee is found not guilty, or is terminated for reasons other than the arrest; requires that the records of the administrative actions be preserved. - Amends TCA Title 4, Chapter 5, Part 2 and Title 7, Chapter 51, Part 17. by *Jackson. (*HB714 by *Hurt)

***Senate Bill No. 827** -- Prisons and Reformatory Institutions - As introduced, prohibits the use of solitary confinement for pregnant inmates and inmates who have given birth within the past eight weeks; prohibits transfer of a pregnant inmate from a jail to a state penitentiary or branch of a prison for safekeeping unless medically necessary. - Amends TCA Title 39; Title 40 and Title 41. by *Yarbro, *Gilmore, *Akbari, *Campbell. (HB916 by *Chism)

Senate Bill No. 1187 -- Utilities, Utility Districts - As introduced, changes the compensation, from an amount not to exceed \$1,000 annually to an amount not to exceed \$200 monthly, for the board of directors of the Reelfoot Lake regional utility and planning district. - Amends TCA Chapter 222 of the Public Acts of 1983, and any other acts amendatory thereto. by *Jackson. (*HB1140 by *Grills, *Todd)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

***House Bill No. 1633** -- Whiteville -- House Local Government Committee

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 22, 2021**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bills on the **Regular Calendar** for **April 26, 2021**: House Bills Nos. 1351, 955, 1268, 1200, 1072, 1062, 446, 1298, 159, 893, 109, 870, 1254, 1624, 1131, 1481, 668, House Joint Resolution No. 72, House Bills Nos. 155, 771, and 74.

The committee also set the following bills on the **Regular Calendar** for **April 28, 2021**: House Bills Nos. 777, 913, 845, 187, 545, 1222, 1377, 382, 1347, 1086, 888, 358, 779, 319, 577, 580, 1266, Senate Joint Resolution No. 10, House Bills Nos. 1126, 697, and 119.

It further reports that it set the following bills and resolutions on the **Consent Calendar** for **April 26, 2021**: House Joint Resolutions Nos. 104, 105, 109, 111, 112, 116, 123, 124, 125, 228, 239, 240, 241, 242, 243, House Bills Nos. 1302, 1629, 967, 762, 1464, 873, 542, 1619, 1346, 1591, 471, and 654.

CONSENT CALENDAR

House Resolution No. 45 -- Memorials, Interns - Shelby Batson. by *Ragan.

House Resolution No. 46 -- Memorials, Interns - Matthew Nicholson. by *Keisling, *Helton, *Eldridge, *Holsclaw, *Hulsey.

House Resolution No. 47 -- Memorials, Academic Achievement - Arlando Lewis, Valedictorian, Martin Luther King College Preparatory High School. by *Cooper.

House Resolution No. 48 -- Memorials, Academic Achievement - Tia Baker, Salutatorian, Martin Luther King College Preparatory High School. by *Cooper.

House Resolution No. 49 -- Memorials, Academic Achievement - Dalton Ray Fitzgerald, Salutatorian, Millington High School. by *Cooper, *Leatherwood.

House Resolution No. 50 -- Memorials, Academic Achievement - Luis Tadeo Carrillo Reyes, Valedictorian, Millington High School. by *Cooper, *Leatherwood.

House Resolution No. 51 -- Memorials, Recognition - Jim Shulman. by *Freeman, *Clemmons, *Powell.

House Resolution No. 52 -- Memorials, Sports - Pickett County High School boys' basketball team. by *Keisling.

***House Joint Resolution No. 434** -- Memorials, Recognition - Carmack Boulevard Church of Christ, 50th anniversary. by *Cepicky.

***House Joint Resolution No. 435** -- Memorials, Death - Charles Henry Coolidge, Sr. by *Hazlewood, *Helton, *Hakeem, *Smith, *Carter.

***House Joint Resolution No. 436** -- Memorials, Death - Dr. Timothy F. Goldsmith. by *White.

***House Joint Resolution No. 437** -- Memorials, Death - Lieutenant Colonel Joseph Sharbel, U.S. Marine Corps. by *Freeman.

***House Joint Resolution No. 438** -- Memorials, Interns - Sydney Satterwhite. by *Parkinson.

***House Joint Resolution No. 439** -- Memorials, Interns - Elijah McGlothen. by *Parkinson.

***House Joint Resolution No. 440** -- Memorials, Interns - Jamir Jackson. by *Parkinson.

***House Joint Resolution No. 441** -- Memorials, Interns - DeAndre Dockery. by *Parkinson.

***House Joint Resolution No. 442** -- Memorials, Interns - Ethan Bentley. by *Parkinson.

***House Joint Resolution No. 443** -- Memorials, Interns - Kiara Miller. by *Parkinson.

THURSDAY, APRIL 22, 2021 – TWENTY-SEVENTH LEGISLATIVE DAY

***House Joint Resolution No. 444** -- Memorials, Interns - Jocelyn Little. by *Parkinson.

***House Joint Resolution No. 445** -- Memorials, Interns - Gabrielle Kershaw. by *Parkinson.

***House Joint Resolution No. 446** -- Memorials, Interns - Alyssa Hobbs. by *Parkinson.

***House Joint Resolution No. 447** -- Memorials, Interns - Domenyque Clay. by *Parkinson.

***House Joint Resolution No. 448** -- Memorials, Interns - Orosi Abell. by *Parkinson.

***House Joint Resolution No. 449** -- Memorials, Recognition - Mount Pleasant High School, 50th anniversary. by *Cepicky.

***House Joint Resolution No. 450** -- Memorials, Professional Achievement - Wendy Ridley, Cornersville School Grades 7-8 Teacher of the Year. by *Warner.

***House Joint Resolution No. 451** -- Memorials, Professional Achievement - Amanda Putman, Cornersville Elementary School Grades K-4 Teacher of the Year. by *Warner.

***House Joint Resolution No. 452** -- Memorials, Professional Achievement - Allison Underwood, Cornersville Elementary School Grades 5-6 Teacher of the Year. by *Warner.

***House Joint Resolution No. 453** -- Memorials, Professional Achievement - Kelly Jerik, Forrest School Grades 9-12 Teacher of the Year. by *Warner.

***House Joint Resolution No. 454** -- Memorials, Professional Achievement - Joy Brown, Forrest School Grades 7-8 Teacher the Year. by *Warner.

***House Joint Resolution No. 455** -- Memorials, Professional Achievement - Carrie Thrasher, Delk-Henson Intermediate School Grades 5-6 Teacher of the Year. by *Warner.

***House Joint Resolution No. 456** -- Memorials, Professional Achievement - Randy Gaskill, Delk-Henson Intermediate School Grade 4 Teacher of the Year. by *Warner.

***House Joint Resolution No. 457** -- Memorials, Professional Achievement - Casey Whitley, Chapel Hill Elementary School Teacher of the Year. by *Warner.

***House Joint Resolution No. 458** -- Memorials, Professional Achievement - Mary Brewer, Marshall County Grades 9-12 and Marshall County High School Teacher of the Year. by *Warner.

***House Joint Resolution No. 459** -- Memorials, Professional Achievement - Danny Adams, Spot Lowe Technology Center Teacher of the Year. by *Warner.

***House Joint Resolution No. 460** -- Memorials, Professional Achievement - Josh Hardison, Marshall County Grades 5-8 and Lewisburg Middle School Teacher of the Year. by *Warner.

THURSDAY, APRIL 22, 2021 – TWENTY-SEVENTH LEGISLATIVE DAY

***House Joint Resolution No. 461** -- Memorials, Professional Achievement - Kayla Hickman, Westhills Elementary School Grades 5-6 Teacher of the Year. by *Warner.

***House Joint Resolution No. 462** -- Memorials, Professional Achievement - Amy Blackwell, Westhills Elementary School Grades 4-5 Teacher of the Year. by *Warner.

***House Joint Resolution No. 463** -- Memorials, Professional Achievement - Cynthia Zerik, Marshall Elementary School Teacher of the Year. by *Warner.

***House Joint Resolution No. 464** -- Memorials, Professional Achievement - Amy Sumners, Marshall County Grades K-4 and Oak Grove Elementary School Teacher of the Year. by *Warner.

***House Joint Resolution No. 465** -- Memorials, Professional Achievement - Kathy Edwards, Cornersville School Grades 9-12 Teacher of the Year. by *Warner.

***House Joint Resolution No. 466** -- Memorials, Academic Achievement - Eli Martin Bright, Salutorian, White House High School. by *Garrett, *Lamberth, *Kumar.

***House Joint Resolution No. 467** -- Memorials, Academic Achievement - Anna Lorraine Buchanan, Salutatorian, White House High School. by *Garrett, *Lamberth, *Kumar.

***House Joint Resolution No. 468** -- Memorials, Academic Achievement - Stephanie Jolynn Ting, Salutorian, White House High School. by *Garrett, *Lamberth, *Kumar.

***House Joint Resolution No. 469** -- Memorials, Academic Achievement - Griffin Cole Brake, Valedictorian, White House High School. by *Garrett, *Lamberth, *Kumar.

***House Joint Resolution No. 470** -- Memorials, Recognition - Mark Presley, Governor's Volunteer Stars Award. by *Weaver.

***House Joint Resolution No. 471** -- Memorials, Academic Achievement - Rebecca Anne Chapman, Valedictorian, Trousdale County High School. by *Weaver.

***House Joint Resolution No. 472** -- Memorials, Academic Achievement - James Heath Chasse, Salutatorian, Trousdale County High School. by *Weaver.

***House Joint Resolution No. 473** -- Memorials, Academic Achievement - Jocelyn Silva, Salutatorian, Kingsbury High School. by *Parkinson.

***House Joint Resolution No. 474** -- Memorials, Academic Achievement - Mariela Sosa, Valedictorian, Kingsbury High School. by *Parkinson.

***House Joint Resolution No. 475** -- Memorials, Academic Achievement - Nasteho Hussein, Salutatorian, Frederick Douglass High School. by *Parkinson.

***House Joint Resolution No. 476** -- Memorials, Academic Achievement - Erika D. Wallace, Valedictorian, Frederick Douglass High School. by *Parkinson.

***House Joint Resolution No. 477** -- Memorials, Recognition - International Tennessee Whiskey Day, May 21, 2021. by *Sexton C.

THURSDAY, APRIL 22, 2021 – TWENTY-SEVENTH LEGISLATIVE DAY

***House Joint Resolution No. 478** -- Memorials, Personal Occasion - Verta Mosley, 100th birthday. by *Haston.

***House Joint Resolution No. 481** -- Memorials, Recognition - Terri Walker, National Auctioneers Association. by *White.

***House Joint Resolution No. 482** -- Memorials, Professional Achievement - Michelle Bruner, Obion County Grades 9-12 Teacher of the Year. by *Grills.

***House Joint Resolution No. 483** -- Memorials, Professional Achievement - Tori Jones, Obion County Grades K-4 Teacher of the Year. by *Grills.

***House Joint Resolution No. 484** -- Memorials, Professional Achievement - Leanne Parnell, Obion County Grades 5-8 Teacher of the Year. by *Grills.

***House Joint Resolution No. 485** -- Memorials, Professional Achievement - Katherine Huitt, Teacher of the Year, Dyersburg High School. by *Grills.

***House Joint Resolution No. 486** -- Memorials, Professional Achievement - Lauren Newell, Teacher of the Year, Dyersburg Intermediate School. by *Grills.

***House Joint Resolution No. 487** -- Memorials, Professional Achievement - Lance Roy, Teacher of the Year, Dyersburg Primary School. by *Grills.

***House Joint Resolution No. 488** -- Memorials, Professional Achievement - Trina Roy, Teacher of the Year, Dyersburg Middle School. by *Grills.

***Senate Joint Resolution No. 503** -- Memorials, Interns - Jackson Lelle. by *Walley.

***Senate Joint Resolution No. 504** -- Memorials, Interns - Denias Smith. by *Walley.

***Senate Joint Resolution No. 505** -- Memorials, Congratulations - Keri McInnis. by *Powers.

***Senate Joint Resolution No. 506** -- Memorials, Congratulations - Gary Luck. by *Powers.

***Senate Joint Resolution No. 507** -- Memorials, Congratulations - Don Jenkins. by *Powers.

***Senate Joint Resolution No. 508** -- Memorials, Recognition - Brigadier General Robin Mealer, U.S. Army (Retired). by *Powers.

***Senate Joint Resolution No. 509** -- Memorials, Professional Achievement - Hallerin Hilton Hill, Tennessee Radio Hall of Fame. by *Massey, *Briggs, *McNally, *Akbari, *Bailey, *Bell, *Bowling, *Campbell, *Crowe, *Gardenhire, *Gilmore, *Haile, *Hensley, *Jackson, *Johnson, *Kelsey, *Kyle, *Lundberg, *Niceley, *Pody, *Powers, *Reeves, *Roberts, *Robinson, *Rose, *Southerland, *Stevens, *Swann, *Walley, *Watson, *White, *Yager, *Yarbro.

***Senate Joint Resolution No. 510** -- Memorials, Academic Achievement - Samuel Augustus Waller, Salutatorian, Christian Community Schools. by *Roberts.

THURSDAY, APRIL 22, 2021 – TWENTY-SEVENTH LEGISLATIVE DAY

***Senate Joint Resolution No. 511** -- Memorials, Academic Achievement - Rachel Elizabeth Bogdan, Valedictorian, Christian Community Schools. by *Roberts.

***Senate Joint Resolution No. 512** -- Memorials, Personal Occasion - John Carl "Johnny" Jones, 80th birthday. by *Roberts.

***Senate Joint Resolution No. 513** -- Memorials, Retirement - Councilman Joe Swann. by *Swann, *Akbari, *Bailey, *Bell, *Bowling, *Briggs, *Campbell, *Crowe, *Gardenhire, *Gilmore, *Haile, *Hensley, *Jackson, *Johnson, *Kelsey, *Kyle, *Lundberg, *Massey, *Niceley, *Pody, *Powers, *Reeves, *Roberts, *Robinson, *Rose, *Southerland, *Stevens, *Walley, *Watson, *White, *Yager, *Yarbro, *McNally.

***Senate Joint Resolution No. 514** -- Memorials, Recognition - Thomas William Taylor. by *Swann.

***Senate Joint Resolution No. 517** -- Memorials, Recognition - 100th anniversary of the passage of 1921 Public Chapter 95. by *Gilmore, *Akbari.

***Senate Joint Resolution No. 518** -- Memorials, Recognition - College students who have lost parents to COVID-19. by *Gilmore, *Campbell, *Akbari.

***Senate Joint Resolution No. 519** -- Memorials, Interns - Colt Timothy Clements. by *Southerland.

***Senate Joint Resolution No. 520** -- Memorials, Academic Achievement - Jaelyn Watson, Salutatorian, Clay County High School. by *Pody.

***Senate Joint Resolution No. 521** -- Memorials, Academic Achievement - Daniela Michelle Vela Hernandez, Valedictorian, Clay County High School. by *Pody.

***Senate Joint Resolution No. 522** -- Memorials, Interns - Cadie Perry. by *Hensley.

***Senate Joint Resolution No. 523** -- Memorials, Death - Clarence Raymond Robbins. by *Yager.

***Senate Joint Resolution No. 524** -- Memorials, Academic Achievement - Nathanael Laing, Valedictorian, Bearden High School. by *Briggs, *Massey.

***Senate Joint Resolution No. 525** -- Memorials, Academic Achievement - Ishani Spanier, Salutatorian, Bearden High School. by *Briggs, *Massey.

***Senate Joint Resolution No. 526** -- Memorials, Academic Achievement - Blake Cragen, Valedictorian, Farragut High School. by *Briggs, *Massey.

***Senate Joint Resolution No. 527** -- Memorials, Academic Achievement - Magdalena Ohstrom, Salutatorian, Farragut High School. by *Briggs, *Massey.

***Senate Joint Resolution No. 528** -- Memorials, Academic Achievement - Abby Diggs, Valedictorian, Fulton High School. by *Briggs, *Massey.

THURSDAY, APRIL 22, 2021 – TWENTY-SEVENTH LEGISLATIVE DAY

***Senate Joint Resolution No. 529** -- Memorials, Academic Achievement - Anthony De Leon Matta, Salutatorian, Fulton High School. by *Briggs, *Massey.

***Senate Joint Resolution No. 530** -- Memorials, Academic Achievement - Anastasia "Alex" Slisher, Salutatorian, L&N Stem Academy. by *Briggs, *Massey.

***Senate Joint Resolution No. 531** -- Memorials, Academic Achievement - Reece Brown, Salutatorian, L&N STEM Academy. by *Briggs, *Massey.

***Senate Joint Resolution No. 532** -- Memorials, Academic Achievement - Abigail Lee, Valedictorian, L&N STEM Academy. by *Briggs, *Massey.

***Senate Joint Resolution No. 533** -- Memorials, Academic Achievement - Elaine Sheddan, Salutatorian, Knoxville Central High School. by *Briggs, *Massey.

***Senate Joint Resolution No. 534** -- Memorials, Academic Achievement - Leigha Gregory, Salutatorian, Knoxville Central High School. by *Briggs, *Massey.

***Senate Joint Resolution No. 535** -- Memorials, Academic Achievement - Libelula Baldriche, Valedictorian, Knoxville Central High School. by *Briggs, *Massey.

***Senate Joint Resolution No. 536** -- Memorials, Academic Achievement - McKenzie Larrimore, Salutatorian, Karns High School. by *Briggs, *Massey.

***Senate Joint Resolution No. 537** -- Memorials, Academic Achievement - Joshua Ward, Valedictorian, Karns High School. by *Briggs, *Massey.

***Senate Joint Resolution No. 538** -- Memorials, Academic Achievement - Emma Grace Everett, Valedictorian, Powell High School. by *Briggs, *Massey.

***Senate Joint Resolution No. 539** -- Memorials, Academic Achievement - Aashna Desai, Valedictorian, Carter High School. by *Massey, *Briggs.

***Senate Joint Resolution No. 540** -- Memorials, Academic Achievement - Ploomie Messer, Valedictorian, Carter High School. by *Massey, *Briggs.

***Senate Joint Resolution No. 541** -- Memorials, Academic Achievement - Katie Price, Salutatorian, Carter High School. by *Massey, *Briggs.

***Senate Joint Resolution No. 542** -- Memorials, Academic Achievement - Dylan West, Salutatorian, Career Magnet Academy. by *Massey, *Briggs.

***Senate Joint Resolution No. 543** -- Memorials, Academic Achievement - Arwen Roach, Valedictorian, Career Magnet Academy. by *Massey, *Briggs.

***Senate Joint Resolution No. 544** -- Memorials, Academic Achievement - Sophia Trent, Salutatorian, Career Magnet Academy. by *Massey, *Briggs.

***Senate Joint Resolution No. 545** -- Memorials, Academic Achievement - Ahya Moreno, Valedictorian, Austin-East High School. by *Massey, *Briggs.

THURSDAY, APRIL 22, 2021 – TWENTY-SEVENTH LEGISLATIVE DAY

***Senate Joint Resolution No. 546** -- Memorials, Academic Achievement - Noel Djenini, Salutatorian, Austin-East High School. by *Massey, *Briggs.

***Senate Joint Resolution No. 547** -- Memorials, Academic Achievement - Emily Paige Easterday, Valedictorian, Gibbs High School. by *Massey, *Briggs.

***Senate Joint Resolution No. 548** -- Memorials, Academic Achievement - Ashley Elizabeth Neubert, Salutatorian, Gibbs High School. by *Massey, *Briggs.

***Senate Joint Resolution No. 549** -- Memorials, Academic Achievement - Nicholas Murray, Salutatorian, West High School. by *Massey, *Briggs.

***Senate Joint Resolution No. 550** -- Memorials, Academic Achievement - Sydney Zurcher, Salutatorian, West High School. by *Massey, *Briggs.

***Senate Joint Resolution No. 551** -- Memorials, Academic Achievement - Joshua Stevens, Valedictorian, West High School. by *Massey, *Briggs.

***Senate Joint Resolution No. 552** -- Memorials, Academic Achievement - Collin Dobson, Salutatorian, West High School. by *Massey, *Briggs.

***Senate Joint Resolution No. 553** -- Memorials, Academic Achievement - Mason Strader, Valedictorian, South-Doyle High School. by *Massey, *Briggs.

***Senate Joint Resolution No. 554** -- Memorials, Academic Achievement - Kailey Garrison, Salutatorian, South-Doyle High School. by *Massey, *Briggs.

***Senate Joint Resolution No. 555** -- Memorials, Academic Achievement - Sarah Child, Valedictorian, South-Doyle High School. by *Massey, *Briggs.

***Senate Joint Resolution No. 556** -- Memorials, Academic Achievement - Katherine Ruth Luttrell, Valedictorian, Halls High School. by *Massey, *Briggs.

***Senate Joint Resolution No. 557** -- Memorials, Academic Achievement - Madison Grace Ortnier, Salutatorian, Halls High School. by *Massey, *Briggs.

OBJECTION--CONSENT CALENDAR

Objection was filed to the following on the Consent Calendar:

Senate Joint Resolution No. 518: by Rep. Faison

Under the rules, Senate Joint Resolution No. 518, was placed at the heel of the calendar for April 26, 2021.

THURSDAY, APRIL 22, 2021 – TWENTY-SEVENTH LEGISLATIVE DAY

Pursuant to **Rule No. 50**, Rep. Zachary moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate Joint Resolutions confirming appointments on the Clerk's desk be substituted for House Joint Resolutions confirming the same appointments, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 92
Noes 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulse, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Todd, Towns, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--92

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 1179 -- Campaigns and Campaign Finance - As introduced, disqualifies an officer of a multicandidate political campaign committee from running for a state or local public office if the multicandidate political campaign committee has not paid a lawfully assessed civil penalty for a violation of the financial disclosure laws or the campaign contribution laws within 30 days. - Amends TCA Title 2, Chapter 10. by *Moody, *Sexton C. (*SB1120 by *White)

Further consideration of House Bill No. 1179, previously considered on April 14, 2021, at which time it was reset for today's Calendar.

Rep. Moody moved that **House Bill No. 1179** be reset for the Regular Calendar on April 28, 2021, which motion prevailed.

House Bill No. 1443 -- Education - As introduced, specifies that the early grades reading report annually prepared by the department of education must be sent to the education administration committee instead of the education committee of the house of representatives. - Amends TCA Title 49. by *Vaughan. (*SB1345 by *Gardenhire)

On motion, House Bill No. 1443 was made to conform with **Senate Bill No. 1345**; the Senate Bill was substituted for the House Bill.

Rep. Vaughan moved that Senate Bill No. 1345 be passed on third and final consideration.

Rep. White moved adoption of Education Administration Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1345 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 49-5-409, is amended by deleting subsection (a) and substituting:

(a) Teachers in service and under the control of the public elementary or high schools of this state may continue in such service unless written notice is sent to the teacher from the teacher's board of education or director of schools, as appropriate, of the teacher's dismissal or failure of reelection.

SECTION 2. Tennessee Code Annotated, Section 49-5-409(b), is amended by deleting the word "received" and substituting the word "sent".

SECTION 3. Tennessee Code Annotated, Section 49-5-409, is amended by adding the following as new subsections:

() Written notice sent by a board of education or director of schools in accordance with this section must be sent by certified mail or overnight carrier to the teacher's physical mailing address on record with the LEA, or transmitted via electronic mail to the email address used by the LEA to communicate with the teacher.

() As used in this section, "last instructional day" means the last day of the school year on which students are required to report to school.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.

On motion, Education Administration Committee Amendment No. 1 was adopted.

Rep. Vaughan moved that **Senate Bill No. 1345**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes..... 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Stewart, Terry,

THURSDAY, APRIL 22, 2021 – TWENTY-SEVENTH LEGISLATIVE DAY

Thompson, Todd, Towns, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--92

A motion to reconsider was tabled.

***House Bill No. 229** -- Planning, Public - As introduced, establishes a process for notifying developers regarding the location of natural gas pipelines and easements for such pipelines for purposes of breaking ground on residential and nonresidential developments, and further provides pipeline operators with notice of such developments for purposes of complying with applicable federal law. - Amends TCA Title 13 and Title 65, Chapter 31. by *Vaughan, *Moody, *Hicks T. (SB271 by *Yager)

On motion, House Bill No. 229 was made to conform with **Senate Bill No. 271**; the Senate Bill was substituted for the House Bill.

Rep. Vaughan moved that Senate Bill No. 271 be passed on third and final consideration.

Rep. Crawford moved that Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Zachary moved the previous question, which motion prevailed by the following vote:

Ayes	74
Noes	19

Representatives voting aye were: Alexander, Baum, Boyd, Bricken, Calfee, Campbell S, Carr, Carringer, Casada, Cepicky, Cochran, Crawford, Curcio, Darby, Doggett, Eldridge, Faison, Farmer, Gant, Garrett, Gillespie, Griffey, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Mannis, Marsh, Moody, Moon, Powers, Ragan, Ramsey, Reedy, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Terry, Thompson, Todd, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--74

Representatives voting no were: Beck, Camper, Chism, Clemmons, Dixie, Freeman, Hakeem, Hardaway, Harris, Johnson G, Lamar, Love, McKenzie, Miller, Mitchell, Parkinson, Powell, Stewart, Towns--19

Rep. Vaughan moved that **Senate Bill No. 271** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	81
Noes	11

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Carr, Carringer, Casada, Cepicky, Chism, Cochran, Crawford, Curcio, Darby, Doggett, Eldridge, Faison, Farmer, Gant, Garrett, Gillespie, Griffey, Grills, Halford, Hall, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt,

THURSDAY, APRIL 22, 2021 – TWENTY-SEVENTH LEGISLATIVE DAY

Jernigan, Johnson C, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Moody, Moon, Parkinson, Powers, Ragan, Ramsey, Reedy, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Terry, Thompson, Todd, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--81

Representatives voting no were: Clemmons, Dixie, Freeman, Hakeem, Hardaway, Johnson G, Miller, Mitchell, Powell, Stewart, Towns--11

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "no" on **Senate Bill No. 271** and have this statement entered in the Journal: Rep. Camper.

REGULAR CALENDAR, CONTINUED

House Bill No. 1040 -- State Employees - As introduced, prohibits state officials and state employees from bidding on, selling, or offering to sell to the state services in addition to just goods. - Amends TCA Title 3; Title 4; Title 8; Title 9 and Title 12. by *Sexton C, *Faison, *Russell, *Bricken, *Powell, *Hazlewood, *Hardaway, *Stewart, *Kumar, *Whitson, *Todd, *Jernigan, *White, *Moon, *Travis, *Hicks G, *Zachary, *Parkinson, *Carringer, *Haston, *Johnson C, *Holsclaw, *Darby, *Calfee, *Farmer, *Johnson G, *Eldridge, *Hicks T, *Hodges, *Williams, *Gillespie. (*SB798 by *McNally, *Briggs, *Bowling)

Further consideration of House Bill No. 1040, previously considered on March 25, 2021, April 1, 2021 and April 5, 2021, at which time the House adopted Amendment No. 2, withdrew Amendment No. 1 and it was re-referred to the State Government Committee.

Mr. Speaker Sexton moved that House Bill No. 1040 be passed on third and final consideration.

Rep. Keisling moved adoption of State Government Committee Amendment No. 2 as House Amendment No. 3, as follows:

Amendment No. 3

AMEND House Bill No. 1040 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 12-4-103(a), is amended by designating the existing language as subdivision (1) and adding the following new subdivision (2):

(A) Except as otherwise provided in this subdivision (a)(2), it is an offense for any member of the general assembly to bid on, sell, or offer for sale any service to a state entity or to have a financial interest in the bidding, selling,

or offering for sale of any service to a state entity. The prohibition set out in this subdivision (a)(2)(A) applies during the tenure of the member's office and for six (6) months thereafter.

(B) It is an exception to the application of subdivision (a)(2)(A) if:

(i) A member of the general assembly was elected prior to July 1, 2021;

(ii) The member provided or offered to provide the service to a state entity prior to July 1, 2021, and the service is being provided or offered to the same state entity;

(iii) The member has held office as a member of the general assembly continuously since July 1, 2021; and

(iv) The member disclosed the nature of the service and the name of the state entity to which the service is provided or offered on the member's statement of interest pursuant to § 8-50-502 no later than September 1, 2021, and annually thereafter, for all years in which the member has continuously served as a member of the general assembly.

(C) It is an exception to the application of subdivision (a)(2)(A) if the service is provided through an employment contract, an indigent defense contract, or a medical services contract unless prohibited by the Constitution of Tennessee.

(D) It is an exception to the application of subdivision (a)(2)(A) if the financial interest in the bidding, selling, or offering for sale of any service to a state entity is:

(i) Held in a blind trust pursuant to § 35-50-120 prior to administration of the member's oath of office, during the tenure of such member's service as a member of the general assembly, and for at least six (6) months thereafter; and

(ii) Disclosed in accordance with § 2-10-128(a)(3).

(E) The exceptions provided in subdivisions (a)(2)(B)-(D) do not apply to services provided to the legislative branch of state government. This subdivision (a)(2) does not preclude either house of the general assembly from adopting a rule more restrictive than the prohibition set out in subdivision (a)(2)(A).

(F) For purposes of this subdivision (a)(2):

(i) "Compensation" means any salary, fee, payment, reimbursement, or other valuable consideration, or any combination thereof;

(ii) "Service" means any work, labor, or assistance provided in exchange for compensation; and

(iii) "State entity" means an agency, branch, bureau, commission, department, or division of this state, and does not include a local government.

SECTION 2. Tennessee Code Annotated, Section 12-4-103, is amended by adding the following language as a new subsection:

(d)

(1) A person who is convicted under subdivision (a)(2) is forever afterwards disqualified from holding any office under the laws or constitution of this state.

(2) If at the time of conviction for an offense specified in subdivision (a)(2), the person still holds an office under the constitution of this state, then this subsection (d) applies to such person at the end of the person's term of office, unless otherwise expelled from office prior to that time.

SECTION 3. Tennessee Code Annotated, Section 8-50-502, is amended by adding the

following language as a new subdivision:

(10) The name of any agency, branch, bureau, commission, department, or other division of state government for which a member of the general assembly continues to provide or offer to provide a service and the nature of the service provided or offered, as required by § 12-4-103. The disclosure required pursuant to this subdivision (10):

(A) Must be made prior to September 1, 2021, and annually thereafter, on the consolidated form in accordance with § 2-10-128; and

(B) Must be made only by members of the general assembly elected prior to July 1, 2021, who are seeking an exemption to the application of § 12-4-103(a)(2)(A).

SECTION 4. This act takes effect July 1, 2021, the public welfare requiring it.

On motion, State Government Committee Amendment No. 2, as House Amendment No. 3, was adopted.

Rep. Williams moved the previous question, which motion prevailed by the following vote:

Ayes 62
Noes 30

Representatives voting aye were: Alexander, Baum, Boyd, Bricken, Calfee, Campbell S, Carr, Carringer, Cochran, Crawford, Curcio, Darby, Doggett, Eldridge, Faison, Farmer,

THURSDAY, APRIL 22, 2021 – TWENTY-SEVENTH LEGISLATIVE DAY

Freeman, Gant, Garrett, Gillespie, Griffey, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Hulsey, Jernigan, Johnson C, Keisling, Lamberth, Leatherwood, Littleton, Lynn, Mannis, Marsh, Moody, Moon, Powers, Ragan, Ramsey, Russell, Shaw, Sherrell, Smith, Terry, Todd, Travis, Vaughan, Warner, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--62

Representatives voting no were: Beck, Camper, Cepicky, Chism, Clemmons, Dixie, Grills, Hakeem, Hardaway, Harris, Howell, Hurt, Johnson G, Kumar, Lafferty, Lamar, Love, McKenzie, Miller, Mitchell, Parkinson, Powell, Reedy, Rudder, Sexton J, Sparks, Stewart, Thompson, Towns, Weaver--30

Mr. Speaker Sexton moved that **House Bill No. 1040**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	82
Noes.....	0
Present and not voting.....	8

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Rudder, Russell, Shaw, Sherrell, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--82

Representatives present and not voting were: Grills, Hulsey, Lafferty, Reedy, Sexton J, Smith, Warner, Weaver--8

A motion to reconsider was tabled.

CHAIR TO SPEAKER

Mr. Speaker Sexton resumed the Chair.

REGULAR CALENDAR, CONTINUED

House Bill No. 1286 -- Fairs - As introduced, adds Wilson County Promotions, Inc., a not-for-profit corporation, to the entities with which the Tennessee state fair and exposition commission may work to conduct a fair or exposition; provides for the Tennessee state fair being held at the Wilson County fairgrounds. - Amends TCA Title 4, Chapter 57; Title 5, Chapter 9 and Title 43, Chapter 21. by *Marsh. (*SB1155 by *Haile, *Bowling)

Rep. Marsh moved that House Bill No. 1286 be passed on third and final consideration.

Rep. Travis moved the previous question, which motion prevailed.

THURSDAY, APRIL 22, 2021 – TWENTY-SEVENTH LEGISLATIVE DAY

Rep. Marsh moved that **House Bill No. 1286** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 89
Noes..... 2

Representatives voting aye were: Alexander, Baum, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Powell, Powers, Ragan, Ramsey, Reedy, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--89

Representatives voting no were: Beck, Stewart--2

A motion to reconsider was tabled.

***House Bill No. 581** -- Guardians and Conservators - As introduced, specifies the procedures for giving notice in conservatorship proceedings; specifies that certain examination reports in conservatorship proceedings are confidential and not open for inspection by the public. - Amends TCA Title 34. by *Ragan. (SB1440 by *Akbari)

On motion, House Bill No. 581 was made to conform with **Senate Bill No. 1440**; the Senate Bill was substituted for the House Bill.

Rep. Ragan moved that Senate Bill No. 1440 be passed on third and final consideration.

Rep. Jernigan moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

EXCUSED

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Grills

Representative Dixie

REGULAR CALENDAR, CONTINUED

Rep. Ragan moved that **Senate Bill No. 1440** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 87
Noes 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Clemmons, Cochran, Crawford, Curcio, Darby, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Mitchell, Moody, Moon, Powell, Powers, Ragan, Ramsey, Reedy, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Mr. Speaker Sexton--87

A motion to reconsider was tabled.

***House Bill No. 784** -- Correction, Dept. of - As introduced, allows the department to contract with entities and organizations, including local governments, to create or operate community-based alternatives to incarceration; rewrites various provisions regarding community corrections, probation, probation revocation, and release on bail. - Amends TCA Title 4; Title 8, Chapter 4, Part 1; Section 16-3-810; Title 16, Chapter 22; Title 16, Chapter 3; Title 39; Title 40 and Title 41. by *Lamberth, *Gant, *Curcio, *Gillespie, *Hardaway, *Moon, *Parkinson, *Ramsey, *Faison, *Freeman, *Hicks T, *Hazlewood, *Hodges, *Thompson, *Mannis. (SB767 by *Johnson, *Stevens, *Yager)

Rep. Curcio moved that House Bill No. 784 be passed on third and final consideration.

Rep. J. Sexton requested that Criminal Justice Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Hazlewood requested that Finance, Ways, and Means Committee Amendment No. 1, as House Amendment No. 2, be placed at the heel of the amendments.

Rep. Griffey moved adoption of House Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 784 by deleting sections 49 and 50 and renumbering the subsequent sections accordingly.

THURSDAY, APRIL 22, 2021 – TWENTY-SEVENTH LEGISLATIVE DAY

Rep. Curcio moved that House Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes 78
Noes 7

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Carr, Casada, Cepicky, Chism, Clemmons, Cochran, Curcio, Darby, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Littleton, Love, Lynn, Mannis, Marsh, Miller, Mitchell, Moon, Parkinson, Powers, Ragan, Ramsey, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Wright, Zachary--78

Representatives voting no were: Crawford, Griffey, Hulsey, Leatherwood, Moody, Powell, Windle--7

Rep. Griffey moved adoption of House Amendment No. 4 as follows:

Amendment No. 4

AMEND House Bill No. 784 by deleting SECTIONS 24 and 25 and renumbering the subsequent sections accordingly.

Rep. Curcio moved that House Amendment No. 4 be tabled, which motion prevailed by the following vote:

Ayes 76
Noes 11

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Hakeem, Halford, Hall, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Howell, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Littleton, Love, Lynn, Mannis, Marsh, Miller, Moon, Parkinson, Powers, Ragan, Ramsey, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--76

Representatives voting no were: Doggett, Griffey, Hardaway, Hulsey, Lafferty, Leatherwood, Mitchell, Moody, Powell, Stewart, Windle--11

Rep. J. Sexton moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 784 by deleting all language after the enacting clause and substituting:

THURSDAY, APRIL 22, 2021 – TWENTY-SEVENTH LEGISLATIVE DAY

SECTION 1. Tennessee Code Annotated, Section 16-22-103, is amended by deleting subdivision (4)(A)(i)(c) and substituting:

(c) The person committed a felony involving the use of force against the person of another; or

SECTION 2. Tennessee Code Annotated, Section 16-22-103(4)(A), is amended by adding the following as a new subdivision:

() Is convicted of domestic assault under § 39-13-111;

SECTION 3. Tennessee Code Annotated, Section 39-17-418(c)(2)(B)(i), is amended by adding the language "or another licensed treatment program" after the word "services".

SECTION 4. Tennessee Code Annotated, Section 39-17-418(c)(2)(B)(ii), is amended by adding the language "or program" after the word "court".

SECTION 5. Tennessee Code Annotated, Section 39-17-418(c)(2)(B), is amended by adding the following as a new subdivision:

() For persons sentenced under subdivision (c)(2)(A) with clinical assessment results indicating the need to participate in a drug or recovery court or treatment program, the court shall strongly consider ordering service of the sentence through participation in a drug or recovery court or program permitted under subdivision (c)(2)(B)(i) instead of through confinement, unless the court determines the person is not suitable for, or otherwise cannot participate in, such a court or program.

SECTION 6. Tennessee Code Annotated, Section 40-11-115(a), is amended by adding the following language at the end of the subsection:

If the magistrate orders that the person be released pending trial, then the magistrate shall impose the least restrictive conditions of release that will reasonably ensure the appearance of the person as required and the safety of the community.

SECTION 7. Tennessee Code Annotated, Section 40-11-115, is amended by deleting subsection (b) and substituting:

(b) In determining under subsection (a) whether or not a defendant shall be released, and if so, the least restrictive conditions of release that will reasonably ensure the appearance of the defendant as required and the safety of the community, the magistrate must consider any available results of an evidence-based pretrial risk assessment conducted regarding the defendant for use in the jurisdiction and the defendant's financial resources. In making this determination, the magistrate may also consider:

(1) The defendant's length of residence in the community;

(2) The defendant's employment status;

(3) The defendant's prior criminal record, including prior releases on recognizance or bail;

(4) Whether, at the time of being charged with the offense, the defendant was on release pending trial, sentencing, or appeal in connection with another offense;

(5) The nature of the offense, the apparent probability of conviction, and the likely sentence, insofar as these factors are relevant to the risk of nonappearance;

(6) Any substance use or mental health issues that would be better addressed in a community-based treatment program; and

(7) Any other factors indicating the defendant's ties to the community or bearing on the defendant's risk of willful failure to appear.

SECTION 8. Tennessee Code Annotated, Section 40-11-115, is amended by adding the following as a new subsection:

() Any person charged only with a violation of § 55-50-504 whose driving privilege was cancelled, suspended, or revoked under § 40-24-105 solely because of a failure to pay litigation taxes, court costs, or fines assessed as a result of the disposition of any offense under the criminal laws of this state, and who does not have a prior conviction for failure to appear under § 39-16-609 within the previous ten (10) years, must be ordered released pending trial on the person's personal recognizance or upon the execution of an unsecured appearance bond in an amount specified by the magistrate.

SECTION 9. Tennessee Code Annotated, Section 40-35-104, is amended by deleting subdivision (c)(9) and substituting:

(9) A community-based alternative to incarceration as a condition of probation, such as participation in a day reporting center program, a recovery and treatment program, or another appropriate community-based program. A defendant may be ordered to participate in a recovery and treatment program only if such a program is indicated by the results of a clinical assessment.

SECTION 10. Tennessee Code Annotated, Section 40-35-104, is amended by adding the following as a new subsection:

(f) The court shall strongly consider utilizing available and appropriate sentencing alternatives for any defendant who, as appropriately documented, including through a validated risk and needs assessment under § 40-35-207(a)(10), has a behavioral health need, such as a mental illness as defined in § 33-1-101, or is chemically dependent as defined in § 16-22-103. The court has sole discretion whether to utilize available sentencing alternatives under this subsection (f).

THURSDAY, APRIL 22, 2021 – TWENTY-SEVENTH LEGISLATIVE DAY

SECTION 11. Tennessee Code Annotated, Section 40-36-106(a)(1), is amended by adding the following new subdivisions:

(G) Persons who have not been convicted of a sexual offense under title 39, chapter 13, part 5;

(H) Persons who do not meet the definition of a sexual offender or violent sexual offender under § 40-39-202; and

(I) Persons who are not required to serve a sentence of community supervision for life under § 39-13-524.

SECTION 12. Tennessee Code Annotated, Section 40-36-103, is amended by deleting the section and substituting:

The purposes of this chapter are to:

(1) Establish a mechanism for using state funds to contract with local governments and qualified private entities to develop community-based alternatives to incarceration that provide a treatment-centered pathway for offenders, thereby reserving state penal institution, local jail, or workhouse bed space for other offenders;

(2) Facilitate the growth of treatment-centered pathways to alleviate geographical disparities in Tennessee with respect to the availability of such pathways available to judges at sentencing; and

(3) Reduce the number of felony offenders committed to state penal institutions, local jails, and workhouses for whom a treatment-centered pathway and appropriate evidence-based community supervision will result in less recidivism and more effective outcomes.

SECTION 13. Tennessee Code Annotated, Section 40-36-104(3), is amended by deleting the subdivision and renumbering the remaining subsections.

SECTION 14. Tennessee Code Annotated, Section 40-36-104, is amended by redesignating the current language as subsection (a) and adding the following as new subsections:

(b) Funds awarded under this chapter, including funds paid pursuant to contracts entered in accordance with this chapter, must not be used to supplant existing state or local government funds and must not be used for:

(1) Construction, renovation, or operation of local correctional facilities; provided, however, that this subdivision (b)(1) does not prohibit the use of such funds to expand jail-based programs for offenders sentenced to split confinement in conjunction with a sentence of probation under chapter 35 of this title;

(2) Construction, renovation, or operation of state facilities; or

(3) Salaries of state probation and parole officers.

(c) Administrative costs connected with the expenditure of funds awarded under this chapter shall not exceed a percentage amount established by the department of correction.

(d) Funding under this chapter shall be appropriated on an annual basis and any unspent moneys shall be returned to the department of correction to be used for reallocation to other programs administered by the department of correction as authorized under this chapter.

SECTION 15. Tennessee Code Annotated, Section 40-36-105(8), is amended by deleting the subdivision and substituting instead:

(8) The department of correction may conduct evaluations of funding recipients under this chapter, annually or as often as needed, to ensure accountability and to measure the efficiency of the community-based alternatives to incarceration conducted under this chapter, and contractors must participate in the evaluations. The form and methods of the evaluations must be determined by the department. Funding recipients under this chapter must substantially comply with the standards and administrative regulations of the department defining the effectiveness of a community-based alternative to incarceration and must maintain, collect, and provide to the department, annually or as otherwise requested, any information required by the department for evaluation, which may include, but is not limited to:

(A) The number of individuals admitted to the community-based alternative to incarceration;

(B) The ratio of staff members to offenders;

(C) The number of successful completions of the community-based alternative to incarceration;

(D) The average time for an individual to successfully complete the community-based alternative to incarceration;

(E) The number of individuals in the community-based alternative to incarceration who have incurred a new arrest, new conviction, or revocation of a community correction sentence, including the type of arrest, conviction, or revocation and the underlying conduct resulting in the arrest, conviction, or revocation; and

(F) The average time an individual spends in the community-based alternative to incarceration before a new arrest, conviction, or revocation.

SECTION 16. Tennessee Code Annotated, Section 39-13-704(a), is amended by deleting the language "thirteen (13) members" and substituting the language "twelve (12) members" and by deleting subdivision (a)(7).

THURSDAY, APRIL 22, 2021 – TWENTY-SEVENTH LEGISLATIVE DAY

SECTION 17. Tennessee Code Annotated, Section 40-35-303(d), is amended by adding the following as a new subdivision:

() Participation in a day reporting center program, recovery and treatment program, or another appropriate community-based program;

SECTION 18. Tennessee Code Annotated, Section 40-35-310(b), is amended by deleting the language "to any community-based alternative to incarceration authorized by chapter 36 of this title" and substituting "to a sentence of probation, including the condition of participating in a community-based alternative to incarceration as provided in § 40-35-104(c)(9)".

SECTION 19. Tennessee Code Annotated, Section 40-35-503(h), is amended by deleting the language ", as defined in § 40-36-102," and adding the following at the end of the subsection:

As used in this subsection (h), "nonviolent felony offense" means a felony offense that does not involve serious bodily injury, as defined in § 39-11-106, or death to a victim or bystander, does not involve threats reasonably calculated to produce such results, and does not involve sexual contact or sexual penetration as those terms are defined in § 39-13-501.

SECTION 20. Tennessee Code Annotated, Section 40-35-303(c)(1), is amended by adding the following language at the end of the subdivision:

If the court imposes a period of probation for only one (1) conviction, then the period of probation shall not exceed eight (8) years, including instances where a period of probation is imposed after a period of confinement. If the court imposes a period of probation for more than one (1) conviction, then the total period of probation imposed shall not exceed ten (10) years.

SECTION 21. Tennessee Code Annotated, Section 40-35-308, is amended by deleting subsection (c) and substituting:

(c)

(1) Notwithstanding the actual sentence imposed under § 40-35-303(c), at the conclusion of a probation revocation hearing, the court shall have the authority to extend the defendant's period of probation supervision for a period not exceeding one (1) year upon determining on the record that:

(A) The defendant has repeatedly and intentionally failed to comply with court-ordered treatment programming;

(B) The defendant has intentionally violated the conditions of probation regarding contact with the victim or the victim's family;
or

(C) The defendant has intentionally failed to comply with restitution orders despite having the ability to pay the restitution

owed, and extending the period of probation would be more effective than other available options to ensure that the defendant pays the remaining amount of restitution owed.

(2) For each subsequent determination that the defendant has violated a provision or provisions of subdivision (c)(1), the court may extend probation for an additional period not exceeding one (1) year.

SECTION 22. Tennessee Code Annotated, Section 40-35-310, is amended by deleting subsection (a) and substituting:

(a) The trial judge shall possess the power, at any time within the maximum time that was directed and ordered by the court for the suspension, in accordance with § 40-35-311, to revoke the suspension. The trial judge may order the original judgment to be in full force and effect from the date of the revocation of the suspension and may give credit against the original judgment by the amount of time the defendant has successfully served on probation and suspension of sentence prior to the violation or a portion of that amount of time. If the trial judge revokes the suspension due to conduct by the defendant that resulted in a conviction against the defendant during the defendant's period of probation, then the trial judge may order that the term of imprisonment imposed by the original judgment be served consecutively to any sentence that was imposed upon the conviction.

SECTION 23. Tennessee Code Annotated, Section 40-35-310(b), is amended by deleting the language "restore the original judgment" and substituting "restore the original judgment, which may be reduced by an amount of time not to exceed the amount of time the defendant has successfully served on probation and suspension of sentence prior to the violation,".

SECTION 24. Tennessee Code Annotated, Section 40-35-311(d), is amended by designating the existing language as subdivision (1) and adding the following new subdivisions:

(2) Notwithstanding subdivision (d)(1), the trial judge shall not revoke probation, whether temporarily under subdivision (e)(1) or otherwise, based upon one (1) instance of technical violation or violations.

(3) As used in this subsection (d), "technical violation" means an act that violates the terms or conditions of probation but does not constitute a new felony, new Class A misdemeanor, or absconding.

SECTION 25. Tennessee Code Annotated, Section 40-35-311, is amended by deleting subsection (e) and substituting:

(e)

(1) If the trial judge revokes a defendant's probation and suspension of sentence after finding, by a preponderance of the evidence, that the defendant engaged in conduct that is a second or subsequent instance of a technical violation pursuant to subdivision

(d)(2), then the trial judge may temporarily revoke the probation and suspension of sentence by an order duly entered upon the minutes of the court, and:

(A) Impose a term of incarceration not to exceed:

(i) Fifteen (15) days for a first revocation;

(ii) Thirty (30) days for a second revocation;

(iii) Ninety (90) days for a third revocation; or

(iv) The remainder of the sentence for a fourth or subsequent revocation; or

(B) Resentence the defendant for the remainder of the unexpired term to a sentence of probation that includes the condition of participating in a community-based alternative to incarceration as provided in § 40-35-104(c)(9); provided, that the violation of probation and suspension is a technical violation and does not involve the commission of a new offense.

(2) If the trial judge revokes a defendant's probation and suspension of sentence after finding, by a preponderance of the evidence, that the defendant has committed a new felony, new Class A misdemeanor, or absconding, then the trial judge may revoke the probation and suspension of sentence by an order duly entered upon the minutes of the court, and cause the defendant to commence the execution of the judgment as originally entered, which may be reduced by an amount of time not to exceed the amount of time the defendant has successfully served on probation and suspension of sentence prior to the violation.

(3) If the trial judge revokes a defendant's probation and suspension of sentence, then the defendant has the right to appeal.

SECTION 26. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are severable.

SECTION 27. This act shall take effect July 1, 2021, the public welfare requiring it, and apply to court determinations made on or after that date.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Hazlewood moved adoption of Finance, Ways, and Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND House Bill No. 784 by deleting the language "evidence-based" in SECTION 7 of the bill as amended by amendment #5598 and substituting "validated".

AND FURTHER AMEND by deleting SECTIONS 24 and 25 and substituting:

SECTION 24. Tennessee Code Annotated, Section 40-35-311(d), is amended by designating the existing language as subdivision (1) and adding the following new subdivisions:

(2) Notwithstanding subdivision (d)(1), the trial judge shall not revoke probation, whether temporarily under subdivision (e)(1) or otherwise, based upon one (1) instance of technical violation or violations.

(3) As used in this subsection (d), "technical violation" means an act that violates the terms or conditions of probation but does not constitute a new felony, new class A misdemeanor, zero tolerance violation as defined by the department of correction community supervision sanction matrix, or absconding.

SECTION 25. Tennessee Code Annotated, Section 40-35-311, is amended by deleting subsection (e) and substituting:

(e)

(1) If the trial judge revokes a defendant's probation and suspension of sentence after finding, by a preponderance of the evidence, that the defendant engaged in conduct that is a second or subsequent instance of a technical violation pursuant to subdivision (d)(2), then the trial judge may temporarily revoke the probation and suspension of sentence by an order duly entered upon the minutes of the court, and:

(A) Impose a term of incarceration not to exceed:

(i) Fifteen (15) days for a first revocation;

(ii) Thirty (30) days for a second revocation;

(iii) Ninety (90) days for a third revocation; or

(iv) The remainder of the sentence for a fourth or subsequent revocation; or

(B) Resentence the defendant for the remainder of the unexpired term to a sentence of probation that includes the condition of participating in a community-based alternative to incarceration as provided in § 40-35-104(c)(9); provided, that the violation of probation and suspension is a technical violation and does not involve the commission of a new offense.

(2) If the trial judge revokes a defendant's probation and suspension of sentence after finding, by a preponderance of the evidence, that the defendant has committed a new felony, new Class A misdemeanor, zero tolerance violation as defined by the department of correction community supervision sanction matrix, or absconding, then the trial judge may revoke the probation and suspension of sentence by an order duly entered upon the minutes of the court, and cause the defendant to commence the execution of the judgment as originally entered, which may be reduced by an amount of time not to exceed the amount of time the defendant has successfully served on probation and suspension of sentence prior to the violation.

(3) If the trial judge revokes a defendant's probation and suspension of sentence, then the defendant has the right to appeal.

On motion, Finance, Ways, and Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Powers moved the previous question, which motion prevailed.

Rep. Curcio moved that **House Bill No. 784**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes.....	1

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--89

Representatives voting no were: Griffey--1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on the **motion to table House Amendment No. 3 of House Bill No. 784** and have this statement entered in the Journal: Rep. Carringer.

REGULAR CALENDAR, CONTINUED

***House Bill No. 785** -- Sentencing - As introduced, enacts the "Reentry Success Act of 2021"; revises various provisions on parole, including creating a presumption that an eligible inmate must be released on parole upon reaching the inmate's parole eligibility date. - Amends TCA Title 4, Chapter 3, Part 12; Title 40; Title 41, Chapter 4; Title 41, Chapter 8; Title 49, Chapter 11; Title 49, Chapter 8; Title 55, Chapter 50 and Section 62-76-104. by *Lamberth, *Gant, *Curcio, *Ramsey, *Hardaway, *Moon, *Freeman, *White, *Faison, *Parkinson, *Hicks T, *Hodges, *Mannis, *Gillespie, *Jernigan, *Chism, *Thompson, *McKenzie. (SB768 by *Johnson, *Yager, *Stevens, *Bowling)

Rep. Curcio moved that House Bill No. 785 be passed on third and final consideration.

Rep. J. Sexton requested that Criminal Justice Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Hazlewood requested that Finance, Ways, and Means Committee Amendment No. 1, as House Amendment No. 2, be placed at the heel of the amendments.

Rep. Hazlewood requested that Finance, Ways, and Means Committee Amendment No. 2, as House Amendment No. 3, be placed at the heel of the amendments.

Rep. Griffey moved adoption of House Amendment No. 4 as follows:

Amendment No. 4

AMEND House Bill No. 785 by deleting SECTION 11 and substituting:

SECTION 11. Tennessee Code Annotated, Section 40-28-122(c)(1), is amended by deleting the subdivision and substituting:

(1) The board shall, within a reasonable time, act upon the charges, and may, if it sees fit:

(A) For the first revocation of parole that does not involve a new felony, new Class A misdemeanor, or absconding, require the prisoner to serve a term of incarceration not to exceed ninety (90) days; or

(B) For any other revocation of parole, require the prisoner to serve out in prison the balance of the maximum term for which the prisoner was originally sentenced, calculated from the date of delinquency, or such part thereof, as the board may determine, or impose a punishment as the board deems proper, subject to § 40-28-123.

THURSDAY, APRIL 22, 2021 – TWENTY-SEVENTH LEGISLATIVE DAY

Rep. Curcio moved that House Amendment No. 4 be tabled, which motion prevailed by the following vote:

Ayes	76
Noes.....	11
Present and not voting.....	1

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Curcio, Darby, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Hakeem, Halford, Hall, Hardaway, Harris, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moon, Parkinson, Powell, Powers, Ramsey, Rudder, Sexton J, Shaw, Sherrell, Smith, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Wright, Zachary--76

Representatives voting no were: Calfee, Crawford, Doggett, Griffey, Haston, Hulsey, Lafferty, Leatherwood, Moody, Russell, Windle—11

Representatives present and not voting were: Ragan—1

Rep. Griffey moved adoption of House Amendment No. 5 as follows:

Amendment No. 5

AMEND House Bill No. 785 by deleting the amendatory language of SECTION 11 and substituting:

(1) The board shall, within a reasonable time, act upon the charges, and may, if it sees fit:

(A) For a first revocation of parole that does not involve a new felony, new Class A misdemeanor, or absconding, require the prisoner to serve a term of incarceration not to exceed ninety (90) days; or

(B) For any other revocation of parole, require the prisoner to serve out in prison the balance of the maximum term for which the prisoner was originally sentenced, calculated from the date of delinquency, or such part thereof, as the board may determine, or impose a punishment as the board deems proper, subject to § 40-28-123.

AND FURTHER AMEND by deleting the language "and" from subdivision () (2)(D) of SECTION 12, deleting the period from the end of subdivision () (2)(E) of SECTION 12 and substituting "; and", and adding the following language as a new subdivision (F) to subdivision () (2) of SECTION 12:

(F) Has demonstrated, to the satisfaction of the board:

(i) A sincere effort to become a law-abiding and productive member of the community;

(ii) A desire to obtain gainful employment and provide for the inmate's own self; and

(iii) The inmate is no longer a threat to the other Tennesseans or the property of other Tennesseans.

AND FURTHER AMEND by deleting SECTION 10 and renumbering the subsequent sections accordingly.

Rep. Curcio moved that House Amendment No. 5 be tabled, which motion prevailed by the following vote:

Ayes 80
Noes 10

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Curcio, Darby, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moon, Parkinson, Powers, Ragan, Ramsey, Rudder, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--80

Representatives voting no were: Crawford, Griffey, Hulse, Lafferty, Leatherwood, Moody, Powell, Russell, Sexton J, Windle--10

Rep. J. Sexton moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Hazlewood moved adoption of Finance, Ways, and Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND House Bill No. 785 by deleting all language after the enacting clause and substituting:

SECTION 1. This act is known and may be cited as the "Reentry Success Act of 2021."

SECTION 2. Tennessee Code Annotated, Section 40-28-503(a), is amended by deleting the subsection and substituting:

(a) The board shall establish a policy governing attendance at board hearings and submission and use of victim impact statements and other impact statements. Copies of the policy shall be available upon request. The policy must govern:

(1) The requirement that those requesting notification of parole and parole revocation hearings keep the board advised of their current addresses and telephone numbers;

(2) Instructions for attending and participating in parole and parole revocation hearings, including instructions for submitting an impact statement video;

(3) The limitations on attendance as set forth in § 40-28-502;

(4) Reasonable limitations on oral presentations and videos; and

(5) Information about board discretion to investigate victim impact statements and other impact statements.

SECTION 3. Tennessee Code Annotated, Section 40-28-503, is amended by adding the following as new subsections:

(c)

(1) The board shall establish a digital function that a victim or other impacted person may use to electronically submit an impact statement video to be considered at an inmate's parole or parole revocation hearing. The digital function must allow the victim or other impacted person to submit a video of the victim or other impacted person presenting an impact statement as otherwise permitted by this part. The board may impose reasonable restrictions regarding the length of impact statement videos.

(2) The digital function must allow a victim or other impacted person to indicate whether the victim or other impacted person would like the impact statement video to be resubmitted to any future parole or parole revocation hearings involving the same inmate and offense. If the victim or other impacted person indicates that the victim or other impacted person would like the video resubmitted to any future parole or parole revocation hearings involving the same inmate and offense, then the board shall consider the video at future hearings without further request from the victim or other impacted person. Prior to consideration at a subsequent hearing, the board shall notify the victim or other impacted person, in the same manner that notice is provided pursuant to § 40-28-505(b)(4), that the video will be considered at the hearing unless the victim or other impacted person informs the board, in writing or using the digital function, that the victim or other impacted person no longer wishes to have the video considered. A victim or other impacted person may inform the board at any time, in writing or using the digital function, that the victim or other impacted person no longer wishes to have a previously submitted video considered by the board. If a victim or other impacted person informs the board that the victim or other impacted person no longer wishes to have a previously submitted video considered by the board using the digital function, the digital function must provide the victim or other impacted person the opportunity to indicate whether the victim or

other impacted person will be submitting a new impact statement video, and whether the victim or other impacted person is opposed to, in favor of, or indifferent to the granting or revoking of parole to the inmate.

(3) Any impact statement video is subject to the board's policies and rules governing the privacy of board records pursuant to §§ 40-28-119 and 40-28-503.

(d) As used in this section, "victim" includes both victims and victim representatives, as those terms are defined in § 40-38-203.

SECTION 4. Tennessee Code Annotated, Section 40-28-504, is amended by deleting the section and substituting:

(a) The board shall accept and consider victim impact statements, including victim impact statement videos.

(b) Written victim impact statements and victim impact statement videos are confidential and must not be made available to the public.

(c) Assertions made in a victim impact statement may be investigated and verified by the board.

(d) As used in this section, "victim" includes both victims and victim representatives, as those terms are defined in § 40-38-203.

SECTION 5. Tennessee Code Annotated, Section 55-50-321(a), is amended by designating the existing language as subdivision (1) and adding the following as a new subdivision (2):

(2) The application fee required under subdivision (a)(1) is not required in the case of applications for restricted driver licenses under § 40-24-105(b).

SECTION 6. Tennessee Code Annotated, Section 40-24-105(b)(3)(D), is amended by deleting the language "and paying the application fee to the department".

SECTION 7. Tennessee Code Annotated, Section 40-24-105(b)(4)(B), is amended by deleting the language ", together with an application fee of sixty-five dollars (\$65.00),".

SECTION 8. Tennessee Code Annotated, Section 40-24-105(b)(5)(E), is amended by deleting the language ", together with an application fee of sixty-five dollars (\$65.00),".

SECTION 9. Tennessee Code Annotated, Section 40-28-115(i), is amended by deleting the second sentence and substituting instead:

However, the period set by the board shall not exceed six (6) years, unless the prisoner is serving a sentence for multiple convictions for first degree murder, pursuant to § 39-13-202, or facilitation of first degree murder, in which case the period set by the board shall not exceed ten (10) years.

SECTION 10. Tennessee Code Annotated, Section 40-28-116(b), is amended by deleting the period at the end of the subsection and substituting:

, except that the board shall not require a condition or limitation to be completed prior to release on parole unless the department of correction recommends completion of the condition or limitation prior to release on parole.

SECTION 11. Tennessee Code Annotated, Section 40-28-122(c)(1), is amended by deleting the subdivision and substituting:

(1) The board shall, within a reasonable time, act upon the charges, and may, if it sees fit:

(A) For a revocation of parole that does not involve a new felony, new Class A misdemeanor, zero tolerance violation as defined by the department of correction community supervision sanction matrix, or absconding, require the prisoner to serve a term of incarceration not to exceed:

(i) Fifteen (15) days for the first revocation;

(ii) Thirty (30) days for the second revocation;

(iii) Ninety (90) days for the third revocation; or

(iv) The remainder of the sentence, for a fourth or subsequent revocation; or

(B) For a revocation of parole that involves a new felony, new Class A misdemeanor, zero tolerance violation as defined by the department of correction community supervision sanction matrix, or absconding, require the prisoner to serve out in prison the balance of the maximum term for which the prisoner was originally sentenced, calculated from the date of delinquency, or such part thereof, as the board may determine, or impose a punishment as the board deems proper, subject to § 40-28-123.

SECTION 12. Tennessee Code Annotated, Section 40-35-503, is amended by adding the following as new subsections:

()

(1) Notwithstanding subsection (b), there is a presumption that an eligible inmate must be released on parole, except for good cause shown, upon the inmate reaching the inmate's release eligibility date or any subsequent parole hearing.

(2) For purposes of this subsection (), "eligible inmate" means an inmate who:

(A)

(i) Is currently serving a sentence for a Class E or Class D felony offense; or

(ii) Is currently serving a sentence for a felony that is not classified as a violent offense under § 40-35-120(b);

(B) Is determined to be low risk to reoffend or most appropriately supervised in the community under the most recent validated risk and needs assessment performed under § 41-1-126;

(C) Has successfully completed the programming recommended by the department of correction based on a validated risk and needs assessment performed under § 41-1-126, or can complete any recommended programming while on parole supervision;

(D) Has not received a Class A or Class B disciplinary offense under department of correction policy within one (1) year of the inmate's parole hearing; and

(E) Has not been convicted of a violent sexual offense, as defined in § 40-39-202; sexual offense, as defined in § 40-24-108(b) or § 40-39-202; or sex offense, as defined in § 39-13-703.

(3) This subsection () does not eliminate or otherwise affect the requirements of subsection (c) or § 40-28-116(a)(2).

() Upon declining to grant parole in any case, the board must state in writing the reason for declining parole and how the inmate can improve the inmate's chance of being released on parole in the future.

SECTION 13. Tennessee Code Annotated, Section 40-35-503(b)(2), is amended by redesignating the current subdivision as subdivision (b)(2)(A) and adding the following language before the semicolon:

, except that the board's finding shall not be the sole basis for denying parole unless the individual is serving a sentence for any of the following offenses, in which case the board may deny parole for seriousness of the offense:

(i) First degree murder or an attempt to commit, solicitation of, or facilitation of first degree murder;

(ii) Second degree murder or an attempt to commit or facilitation of second degree murder;

(iii) Voluntary manslaughter;

(iv) Aggravated vehicular homicide;

- (v) Vehicular homicide;
- (vi) Especially aggravated kidnapping or an attempt to commit or facilitation of especially aggravated kidnapping;
- (vii) Trafficking for a commercial sex act;
- (viii) A human trafficking offense;
- (ix) Advertising commercial sexual abuse of a minor;
- (x) Especially aggravated robbery or an attempt to commit or facilitation of especially aggravated robbery;
- (xi) Aggravated rape of a child or an attempt to commit or facilitation of aggravated rape of a child;
- (xii) Aggravated rape or an attempt to commit or facilitation of aggravated rape;
- (xiii) Rape of a child or an attempt to commit or facilitation of rape of a child;
- (xiv) Rape;
- (xv) Aggravated sexual battery;
- (xvi) Especially aggravated burglary;
- (xvii) Aggravated child abuse;
- (xviii) Aggravated sexual exploitation of a minor;
- (xix) Especially aggravated sexual exploitation of a minor;
- (xx) Aggravated vehicular assault;
- (xxi) Aggravated abuse of an elderly or vulnerable adult, or
- (xxii) Vehicular assault;

(B) If the board denies parole for the seriousness of the offense, then the board shall state in writing how the inmate can improve the inmate's chances of being released on parole at the inmate's next hearing

SECTION 14. Tennessee Code Annotated, Section 40-35-503(g), is amended by deleting the second sentence of the subsection.

SECTION 15. Tennessee Code Annotated, Title 40, Chapter 35, Part 5, is amended by adding the following as a new section:

40-35-506.

(a) As used in this section, "eligible inmate" means an inmate who:

(1) Is serving a felony sentence for an offense that occurred on or after July 1, 2021;

(2) Is eligible for parole consideration;

(3) Is calculated to have one (1) year or less remaining until expiration of all sentences that the inmate is serving or set to serve, or is calculated to reach the inmate's release eligibility date with less than one (1) year remaining until expiration;

(4) Does not have an active detainer for new or untried charges or sentences to serve in other jurisdictions;

(5) Has not been classified as maximum or close custody for disciplinary reasons in the previous two (2) years; and

(6) If the inmate has previously had the inmate's probation or parole revoked, has served at least six (6) months since returning to custody after revocation of probation or parole.

(b)

(1) The department of correction shall determine whether an inmate is an eligible inmate. Notwithstanding § 40-35-503, an eligible inmate must be released on mandatory reentry supervision one (1) year prior to the inmate's sentence expiration date as calculated by the department or, if the inmate is not eligible for parole one (1) year prior to the inmate's sentence expiration date, upon reaching the inmate's release eligibility date. Upon release, an eligible inmate is subject to mandatory reentry supervision until the inmate's sentence expiration date. The release must be under the terms and conditions established by the department of correction. The board of parole shall issue a certificate of mandatory reentry supervision to such offenders.

(2) Eligible inmates released on mandatory reentry supervision must be considered released on parole and must be supervised and subject to violations or revocation under chapter 28 of this title to the same extent as discretionary parolees. All provisions relative to imposition of graduated sanctions under chapter 28 of this title apply to eligible inmates released on mandatory reentry supervision.

(3) Upon the issuance of a violation warrant regarding an eligible inmate, the inmate does not earn credit toward completion of the sentence until the removal of the delinquency.

(4) Mandatory reentry supervision for eligible inmates is not a commutation of sentence nor any other form of executive clemency.

(c) Notwithstanding § 40-35-111, upon expiration of a sentence of confinement for a person who is not an eligible inmate, the inmate must be released and subject to mandatory reentry supervision for a period of one (1) year following the inmate's sentence expiration date under conditions to be prescribed by the department of correction. Noncriminal, technical violations of supervision conditions by ineligible inmates must not result in revocation of supervision or incarceration. The mandatory reentry supervision period must be calculated by the department of correction.

(d) Mandatory reentry supervision under this section constitutes release into the community under the direct or indirect supervision of any state or local governmental authority or a private entity contracting with the state or a local government for purposes of § 40-35-114(13).

SECTION 16. Tennessee Code Annotated, Section 40-35-210, is amended by adding the following as a new subsection:

() When the court accepts a plea of guilty or nolo contendere or imposes a sentence on a defendant who has been convicted of a felony offense that occurred on or after July 1, 2021, the court shall specify in its order that the defendant may be subject to an additional year of mandatory reentry supervision pursuant to § 40-35-506 if, at the time of release, the defendant is not an eligible offender as defined in § 40-35-506.

SECTION 17. Tennessee Code Annotated, Title 40, Chapter 29, Part 1, is amended by adding the following as a new section:

40-29-108.

(a) A cause of action may not be brought against an employer or contracting party for negligent hiring, training, retention, or supervision of an employee or independent contractor based solely upon the fact that the employee or independent contractor has been previously convicted of a criminal offense.

(b) In a cause of action against an employer or contracting party for negligent hiring, training, retention, or supervision of an employee or independent contractor, evidence that the employee or independent contractor has been previously convicted of a criminal offense is not admissible.

(c) Subsections (a) and (b) do not apply when:

(1)

(A) The employer or contracting party knew or reasonably should have known of the employee's or independent contractor's prior conviction; and

(B) The employee or independent contractor was previously convicted of:

(i) An offense that was committed while performing duties substantially similar to those reasonably expected to be performed in the employment or under the contract, or under conditions substantially similar to those reasonably expected to be encountered in the employment or under the contract; or

(ii) A violent offense, as defined in § 40-35-120(b), or a violent sexual offense, as defined in § 40-39-202; or

(2)

(A) The cause of action concerns the misuse by an employee or independent contractor of the funds or property of a person other than the employer or contracting party;

(B) On the date the employee or independent contractor was hired, the employee or independent contractor had been previously convicted of an offense an element of which includes fraud or the misuse of funds or property; and

(C) The employer or contracting party should have reasonably foreseen that the position for which the employee or independent contractor was being hired would involve managing the funds or property of a person other than the employer or contracting party.

(d) This section does not create a cause of action or expand an existing cause of action.

SECTION 18. Tennessee Code Annotated, Section 41-8-106, is amended by adding the following as a new subsection:

(i)

(1) In addition to the reimbursement or compensation provided under subsection (c) and subdivision (g)(2), the department shall pay an accreditation stipend to eligible counties for each convicted felon housed by the county for which the county receives reimbursement or compensation provided under subsection (c) and subdivision (g)(2), as provided in subdivision (i)(3).

(2) For purposes of this subsection (i):

(A) "Eligible county" means a county that applies to the department for the accreditation stipend and that the department determines meets the following eligibility criteria:

(i) The county houses convicted felons pursuant to a contract with the state or houses felons awaiting transfer to a state facility;

(ii) All felons housed by the county are administered a department-approved validated risk-needs assessment within forty-five (45) days of admission to the county facility;

(iii) The county provides evidence-based programming;

(iv) All felons housed by the county and deemed to be in good behavioral standing, as determined by facility policy, are eligible to participate in evidence-based programming that is matched to each felon's risks and needs and are not required to participate in programs not indicated as needed by the evidence-based risk and needs assessment;

(v) The county makes reasonable efforts to select evidence-based programming that fits the demonstrated needs of the county's felony offender population by serving a substantial portion of the felons, rather than a narrow subset of felons;

(vi) The county is compliant with, or is making reasonable efforts to comply with, the federal Prison Rape Elimination Act of 2003 (34 U.S.C. § 30301 et seq.); and

(vii) The county achieves tier 1 or tier 2 accreditation from the Tennessee corrections institute pursuant to subdivision (i)(3); and

(B) "Evidence-based programming" means a program or programs shown by scientific research to effectively reduce recidivism rates and increase an offender's likelihood of success following release from incarceration, including programs focused on education, vocational training, mental health, substance abuse rehabilitation, or building healthy relationships. The department shall maintain a resource information center webpage that provides resources regarding approved evidence-based programming.

(3)

(A) The amount of the accreditation stipend provided to eligible counties under this subsection (i), which is in addition to the amount set annually in the appropriations act for each convicted felon housed by the county for which the county

receives reimbursement or compensation provided under subsection (c) and subdivision (g)(2), is:

(i) Three dollars (\$3.00) per day for each convicted felon housed by the county for which the county receives reimbursement or compensation under subsection (c) and subdivision (g)(2), if the county has achieved tier 1 accreditation from the Tennessee corrections institute; and

(ii) Six dollars (\$6.00) per day for each convicted felon housed by the county for which the county receives reimbursement or compensation under subsection (c) and subdivision (g)(2), if the county has achieved tier 2 accreditation from the Tennessee corrections institute.

(B) For purposes of subdivision (i)(3)(A), the board of control of the Tennessee corrections institute shall determine tier 1 and tier 2 accreditation standards by rule. The rules must be promulgated pursuant to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(C) In order to change the amount of reimbursement or compensation provided under subdivision (i)(3)(A), a county must achieve the accreditation tier warranting the change in the fiscal year prior to the fiscal year in which the change in reimbursement or compensation will occur and provide the department notice of the proposed change in reimbursement or compensation at least six (6) months prior to the proposed effective date of the change in reimbursement or compensation.

(4) In order to maintain the accreditation stipend, an eligible county must provide annual documentation to the department showing the percentage of the felons who enroll in the evidence-based programming and complete the programming in a timely manner. The department must determine whether that percentage is satisfactory based on the historical completion outcomes for the particular programming. The department shall establish the documentation and reporting requirements and provide the requirements to each eligible county receiving an accreditation stipend.

(5) A county's receipt of an accreditation stipend is conditioned upon the county maintaining eligibility and compliance with this subsection (i) warranting the stipend. If a county fails to maintain eligibility and compliance with this subsection (i) warranting the stipend, then the department may withhold stipend payments to the county or adjust the amount of such payments, as appropriate. In the case of material noncompliance or ineligibility under this subsection (i), as determined by the commissioner, the department may require the county to repay any stipend payments made to the county during the period of material noncompliance or ineligibility.

(6) After an accreditation stipend has been paid to a county for three (3) years, the department shall annually review the recidivism rates of felons housed in that county to determine whether the implementation of the programming has been effective in reducing recidivism rates. If the evidence-based programming at issue does not impact the recidivism rate by a satisfactory percentage, as determined by the department based upon the length of time that the programming has been utilized and the program's historical outcomes, then the department may require that the county develop a corrective action plan that is satisfactory to the department in order to continue receiving the accreditation stipend.

(7) When implementing evidence-based programming for the felony offender population, an eligible county may implement more than one (1) evidence-based program.

(8) The office of criminal justice programs in the department of finance and administration shall provide information to eligible counties regarding federal grant dollars that may be available to support the implementation of evidence-based programming or other programs or projects to improve offender outcomes.

(9) A county shall not prohibit the county's misdemeanor offender population from participating in evidence-based programming when programming capacity remains following the enrollment of felons whose risks and needs correspond to the programming. The state is not responsible for any costs of incarceration or programming for misdemeanor offenders. However, misdemeanor offenders may utilize evidence-based programming capacity that has been paid for using the accreditation stipend provided under this subsection (i).

(10) The commissioner is authorized to promulgate rules to implement and effectuate this subsection (i), pursuant to the Uniform Administrative Procedures Act compiled in title 4, chapter 5.

(11) Tennessee's community colleges, established pursuant to title 49, chapter 8, and Tennessee's colleges of applied technology, established pursuant to title 49, chapter 11, part 4, are authorized to assist counties with the development of evidence-based programming for felons housed by counties. A county may work with the department and the board of regents established in title 49, chapter 8, part 2, to develop and implement such programming.

SECTION 19. Tennessee Code Annotated, Section 41-4-140(a), is amended by adding the following as a new subdivision (4) and redesignating the current subdivision (a)(4) accordingly:

(4) Inspect local jails, lock-ups, and workhouses to determine whether a county merits tier 1 or tier 2 accreditation by the Tennessee corrections institute pursuant to § 41-8-106(i) and report such determination to the department of correction;

THURSDAY, APRIL 22, 2021 – TWENTY-SEVENTH LEGISLATIVE DAY

SECTION 20. Tennessee Code Annotated, Title 49, Chapter 8, Part 2, is amended by adding the following as a new section:

In addition to all other authorized functions of the community colleges and state colleges of applied technology within the board of regents, each institution is authorized to contract and partner with local governments for the purpose of providing educational and workforce development programs to assist with reducing recidivism rates of criminal offenders held in local correctional facilities and improving opportunities for successful reentry upon release from incarceration.

SECTION 21. Tennessee Code Annotated, Section 49-11-404(a), is amended by adding the following as a new subdivision:

() Sheriff's department or other official or department charged with oversight of a county jail, lock-up, or workhouse for the purpose of developing reentry programs to effectively reduce the recidivism rate of criminal offenders and increase the likelihood of successful reintegration into society following release of individuals from incarceration.

SECTION 22. Tennessee Code Annotated, Section 62-76-104(b)(4), is amended by deleting the subdivision and substituting:

(4) In considering whether to deny an application for a license, certificate, or registration to an applicant pursuant to subdivision (b)(1), or whether to refuse to renew a license, certificate, or registration on the basis of a criminal conviction, the licensing authority must consider:

(A) The relationship between the nature of the crime and the purposes of regulating the occupation, profession, business, or trade;

(B) The relationship between the crime and the ability, capacity, and fitness required to perform the duties and discharge the responsibilities of the occupation, profession, business, or trade;

(C) Any evidence of rehabilitation or treatment undertaken by the individual that might mitigate against the relationship of crime to the occupation, profession, business, or trade; and

(D) Any applicable federal laws regarding an individual's participation in the occupation, profession, business, or trade.

SECTION 23. Tennessee Code Annotated, Section 62-76-104(b), is amended by deleting the language "subdivision (b)(4)(A)" wherever it appears and substituting "subdivision (b)(4)".

SECTION 24. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act are severable.

THURSDAY, APRIL 22, 2021 – TWENTY-SEVENTH LEGISLATIVE DAY

SECTION 25. Sections 2 through 4 of this act take effect upon becoming a law for purposes of establishing the digital function for electronically submitting an impact statement video, and for all other purposes, take effect January 1, 2022, the public welfare requiring it. Sections 5 through 8 of this act take effect July 1, 2021, the public welfare requiring it. Sections 9 through 15 of this act take effect July 1, 2021, the public welfare requiring it, and apply to parole determinations made on or after that date. Section 17 of this act takes effect upon becoming a law, the public welfare requiring it. Section 18 of this act takes effect upon becoming a law, the public welfare requiring it, for the purpose of promulgating rules, and for all other purposes, takes effect October 1, 2021, the public welfare requiring it. All other sections of this act take effect upon becoming a law, the public welfare requiring it.

On motion, Finance, Ways, and Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Hazlewood moved adoption of Finance, Ways, and Means Committee Amendment No. 2, as House Amendment No. 3, as follows:

Amendment No. 3

AMEND House Bill No. 785 by deleting the language "eligible offender" in SECTION 16 and substituting instead the language "eligible inmate".

On motion, Finance, Ways, and Means Committee Amendment No. 3 was adopted.

Rep. Hodges moved the previous question, which motion prevailed by the following vote:

Ayes 81
Noes 8

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Cochran, Crawford, Curcio, Darby, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Hakeem, Halford, Hall, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Moody, Moon, Parkinson, Powers, Ragan, Ramsey, Reedy, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Terry, Todd, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary--81

Representatives voting no were: Clemmons, Hardaway, Johnson G, Mitchell, Powell, Stewart, Thompson, Towns--8

Rep. Curcio moved that **House Bill No. 785**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 90
Noes 1

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie,

THURSDAY, APRIL 22, 2021 – TWENTY-SEVENTH LEGISLATIVE DAY

Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--90

Representatives voting no were: Griffey--1

A motion to reconsider was tabled.

House Bill No. 983 -- Pensions and Retirement Benefits - As introduced, changes name of the "council on pensions and insurance" to the "council on pensions"; removes bills involving insurance from council's purview; removes requirement that bills reported out of the council have the council's committee amendments attached to be considered by the standing committee. - Amends TCA Title 3, Chapter 9; Title 4; Title 8 and Title 67. by *Hazlewood, *Smith. (*SB708 by *Watson)

On motion, House Bill No. 983 was made to conform with **Senate Bill No. 708**; the Senate Bill was substituted for the House Bill.

Rep. Hazlewood moved that **Senate Bill No. 708** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 90
Noes 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--90

A motion to reconsider was tabled.

House Bill No. 476 -- Highways, Roads and Bridges - As introduced, authorizes the use of surveillance cameras owned by law enforcement agencies on federal interstate highways to aid in criminal investigations. - Amends TCA Title 55. by *White, *Gillespie, *Griffey, *Thompson, *Russell, *Whitson, *Beck, *Freeman, *Moon, *Hardaway, *Powell, *Jernigan, *Helton, *Hodges, *Marsh. (*SB354 by *Gardenhire, *Jackson, *Massey, *Reeves, *Rose)

Further consideration of House Bill No. 476, previously considered on April 15, 2021, at which time it was reset for today's Calendar.

THURSDAY, APRIL 22, 2021 – TWENTY-SEVENTH LEGISLATIVE DAY

On motion, House Bill No. 476 was made to conform with **Senate Bill No. 354**; the Senate Bill was substituted for the House Bill.

Rep. White moved that Senate Bill No. 354 be passed on third and final consideration.

Rep. Howell moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. White moved adoption of House Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 354 by adding the following as a new Section 1 and renumbering the existing sections accordingly:

SECTION 1. This act is known and may be cited as the "Caitlyn Kaufman Interstate Safety Act."

On motion, House Amendment No. 2 was adopted.

Rep. Campbell moved adoption of House Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 354 by deleting the language "aiding in criminal investigations" in Section 1(f)(2) and substituting instead the language "aiding in criminal investigations or searches for missing or endangered persons".

On motion, House Amendment No. 3 was adopted.

Rep. Hodges moved the previous question, which motion prevailed by the following vote:

Ayes	65
Noes.....	26

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Carr, Carringer, Casada, Cepicky, Chism, Cochran, Crawford, Curcio, Darby, Doggett, Eldridge, Faison, Farmer, Garrett, Gillespie, Hall, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulse, Jernigan, Johnson C, Keisling, Lamar, Lamberth, Littleton, Mannis, Marsh, McKenzie, Moody, Moon, Powers, Ragan, Ramsey, Reedy, Rudder, Russell, Shaw, Smith, Terry, Thompson, Travis, Vaughan, Warner, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--65

Representatives voting no were: Camper, Clemmons, Cooper, Freeman, Gant, Griffey, Hakeem, Halford, Hardaway, Hurt, Johnson G, Lafferty, Leatherwood, Love, Lynn, Miller, Mitchell, Parkinson, Powell, Sexton J, Sherrell, Sparks, Stewart, Todd, Towns, Weaver--26

THURSDAY, APRIL 22, 2021 – TWENTY-SEVENTH LEGISLATIVE DAY

Rep. White moved that **Senate Bill No. 354**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	54
Noes.....	32
Present and not voting.....	4

Representatives voting aye were: Alexander, Baum, Beck, Bricken, Carr, Casada, Curcio, Darby, Farmer, Freeman, Garrett, Gillespie, Griffey, Hakeem, Halford, Hall, Hardaway, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Jernigan, Johnson C, Keisling, Lamberth, Littleton, Love, Mannis, Marsh, McKenzie, Miller, Moody, Moon, Powell, Powers, Ragan, Ramsey, Reedy, Russell, Shaw, Smith, Sparks, Thompson, Travis, Vaughan, Warner, White, Whitson, Williams, Wright, Mr. Speaker Sexton--54

Representatives voting no were: Boyd, Calfee, Camper, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Doggett, Eldridge, Faison, Harris, Hawk, Hulsey, Johnson G, Lafferty, Lamar, Leatherwood, Lynn, Mitchell, Parkinson, Rudder, Sexton J, Sherrell, Stewart, Terry, Todd, Towns, Weaver, Windle, Zachary--32

Representatives present and not voting were: Campbell, Gant, Haston, Hurt--4

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 354** and have this statement entered in the Journal: Rep. Kumar.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 235** -- Purchasing and Procurement - As introduced, increases from \$10,000 or more to \$25,000 or more, the amount for which a local board of education or the governing body of a public charter school must make purchases or expenditures by competitive bids. - Amends TCA Section 12-3-1212; Section 49-13-111 and Section 49-2-203. by *Littleton, *Smith, *Hazlewood. (SB1125 by *White)

Senate Amendment No. 1

AMEND House Bill No. 235 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-2-203(a)(3), is amended by deleting subdivision (B) and substituting instead the following:

(B)

(i) All expenditures for the purchase of supplies, furniture, fixtures, or materials through the executive committee may follow the prescribed procedures of the LEA's respective local governing body, if that body, through its charter, private act, or ordinance has established a procurement procedure that provides for advertisement and competitive bidding, except that, if a newspaper advertisement is required, then it may be waived in case of emergency;

(ii)

(a) If the LEA chooses not to follow the local governing body's purchasing procedures, and the LEA is located in a county having a population of less than forty thousand (40,000), according to the 2010 federal census or any subsequent federal census, then all expenditures for the purchase of supplies, furniture, fixtures, or materials through the executive committee estimated to cost ten thousand dollars (\$10,000) or more must be made on competitive bids, which must be solicited by advertisement in a newspaper of general circulation in the county, except that the newspaper advertisement may be waived in case of emergency; or

(b) If the LEA chooses not to follow the local governing body's purchasing procedures, and the LEA is located in a county having a population of forty thousand (40,000) or more, according to the 2010 federal census or any subsequent federal census, then all expenditures for the purchase of supplies, furniture, fixtures, or materials through the executive committee estimated to cost twenty-five thousand dollars (\$25,000) or more must be made on competitive bids, which must be solicited by advertisement in a newspaper of general circulation in the county, except that the newspaper advertisement may be waived in case of emergency;

(iii) LEAs that have a purchasing division may use a comprehensive vendor list to solicit competitive bids; provided, that:

(a) The vendors on the list are given notice to bid; and

(b) The purchasing division shall periodically advertise in a newspaper of general circulation in the county for vendors and shall update the list of vendors following the advertisement;

SECTION 2. Tennessee Code Annotated, Section 49-2-203(a)(3), is amended by deleting subdivision (C) and substituting instead the following:

(C)

(i) If the LEA chooses not to follow the local governing body's purchasing procedures, and the LEA is located in a county having a population of less than forty thousand (40,000), according to the 2010

federal census or any subsequent federal census, then all purchases of less than ten thousand dollars (\$10,000) may be made in the open market without newspaper notice, but must, whenever possible, be based upon at least three (3) competitive bids; or

(ii) If the LEA chooses not to follow the local governing body's purchasing procedures, and the LEA is located in a county having a population of forty thousand (40,000) or more, according to the 2010 federal census or any subsequent federal census, then all purchases of less than twenty-five thousand dollars (\$25,000) may be made in the open market without newspaper notice, but must, whenever possible, be based upon at least three (3) competitive bids;

SECTION 3. Tennessee Code Annotated, Section 49-2-203(a)(3)(D), is amended by deleting subdivision (i) and substituting instead the following:

(i)

(a) For the construction of school buildings or additions to existing school buildings, the LEA may follow the prescribed procedures of the LEA's respective local governing body, if that body, through its charter, private act, or ordinance has established a procurement procedure that provides for advertisement and competitive bidding;

(b)

(1) If the LEA chooses not to follow the local governing body's procedure, and the LEA is located in a county having a population of less than forty thousand (40,000), according to the 2010 federal census or any subsequent federal census, then the board shall contract, following open bids, for the construction of school buildings or additions to existing school buildings, the expenditure for which is ten thousand dollars (\$10,000) or more; or

(2) If the LEA chooses not to follow the local governing body's procedure, and the LEA is located in a county having a population of forty thousand (40,000) or more, according to the 2010 federal census or any subsequent federal census, then the board shall contract, following open bids, for the construction of school buildings or additions to existing school buildings, the expenditure for which is twenty-five thousand dollars (\$25,000) or more;

(c) Public notice must be given at least ten (10) days in advance of accepting bids for the construction, and the board shall award the contract to the lowest and best bidder. Whether following the local governing body's procedures or the procedures set forth in this subdivision (a)(3)(D)(i), in the event no bid is within the budgetary limits set by the board for the construction, the board may negotiate with the

lowest and best bidder to bring the cost of the construction within the funds available, with the approval of the commissioner of education;

SECTION 4. Tennessee Code Annotated, Section 49-13-111, is amended by deleting subsection (e) and substituting:

(e)

(1) If a public charter school is located in a county having a population of less than forty thousand (40,000), according to the 2010 federal census or any subsequent federal census, then all contracts for goods in excess of ten thousand dollars (\$10,000) must be bid and approved by the governing body of the public charter school.

(2) If a public charter school is located in a county having a population of forty thousand (40,000) or more, according to the 2010 federal census or any subsequent federal census, then all contracts for goods in excess of twenty-five thousand dollars (\$25,000) must be bid and approved by the governing body of the public charter school.

SECTION 5. Tennessee Code Annotated, Section 12-3-1212, is amended by deleting the language "LEA in accordance with § 49-2-203(a),".

SECTION 6. Tennessee Code Annotated, Section 12-3-1212, is further amended by adding the following language at the end of the section:

For purposes of this section, counties that have adopted the County Financial Management System of 1981, compiled in title 5, chapter 21 or the County Purchasing Law of 1957, compiled in title 5, chapter 14, part 1; or that are similarly centralized for purchasing under a private act, are deemed to have a full-time purchasing agent.

SECTION 7. This act takes effect July 1, 2021, the public welfare requiring it.

Rep. Littleton moved that the House concur in Senate Amendment No. 1 to **House Bill No. 235**, which motion prevailed by the following vote:

Ayes 86
Noes..... 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Todd, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--86

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 462** -- Education, Dept. of - As introduced, prohibits the department from using high school graduation rates from the 2021-2022, 2022-2023, 2023-2024, and 2024-2025 school years as a metric included in school or LEA accountability; allows the department to report graduation rates as required by federal law. - Amends TCA Section 49-1-228 and Title 49, Chapter 1, Part 6. by *Cepicky, *Hurt, *Doggett. (SB1340 by *Hensley)

Senate Amendment No. 2

AMEND House Bill No. 462 by deleting the language "the education committee of the senate and" in the amendatory language of subsection (a) in Section 1.

Rep. Cepicky moved that the House concur in Senate Amendment No. 2 to **House Bill No. 462**, which motion prevailed by the following vote:

Ayes	91
Noes	0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Todd, Towns, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--91

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE MESSAGE

***House Bill No. 1609** -- Carthage - Subject to local approval, rewrites charter. - Amends Chapter 186 of the Acts of 1901; as amended and rewritten. By *Weaver (SB493 by *Pody)

Rep. Weaver moved that House Bill No. 1609 be reset for the Message Calendar on April 26, 2021.

UNFINISHED BUSINESS

MOTION TO PLACE BILL ON CALENDAR

Rep. Kumar moved that **House Bill No. 830** be placed on the Message Calendar for April 26, 2021, which motion prevailed.

NOTICE TO ACT ON SENATE MESSAGE

Pursuant to **Rule No. 59**, notice was given that the following measure from the Senate would be considered on April 26, 2021:

House Bill No. 1233: by Rep. Zachary

RULES SUSPENDED

Rep. Lamberth moved that the rules be suspended in order to allow **House Bill No. 880** to be heard in the Criminal Justice Committee next week, which motion prevailed.

RULES SUSPENDED

Rep. Lamberth moved that the portions of the following Rules be suspended for **House Bills No. 750, 1211, 679, 57, 1365, 39, 516, 1276, 599, 534, 854, 1150, 124, 322, 55, 341, 530, 540, 729, 1230, 881, 455, 1497, 442, 202, 1540, 488, 150, 1154, 1152, 1151, 1153, 1010, 1437 and 1204**, which motion prevailed:

Rule No. 49: the 48-hour rule so that all bills moved from Calendar and Rules can be set on the next floor Calendar;

Rule No. 49: the 25 bill limit rule so that more than 25 bills may be placed on the calendar for final consideration on any one day;

Rule No. 59: notice provisions so that all bills from the Senate with messages can be announced and/or automatically placed on the next Message Calendar;

Rule No. 67: so that committee and subcommittee meetings can be held at times other than those specified in the House Weekly Schedule and with less than 72 hours notice;

Rule No. 71: the 24-hour rule requiring all amendments to be available to members 24 hours before consideration on the floor;

Rule No. 83(1): so that all bills reported out of subcommittee can be heard on the next full committee calendar without waiting a week;

Rule No. 83(1): so that all bills reported out of committee can be heard in the next committee or subcommittee without waiting a week;

Rule No. 83(1): so that items in committee and subcommittee can be placed on the next calendar notwithstanding the Wednesday 3:30 deadline for placing bills on notice.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 202 Reps. Moody and Cepicky as prime sponsors.

House Bill No. 446 Rep. Terry as prime sponsor.

House Bill No. 455 Rep. Towns as prime sponsor.

House Bill No. 718 Rep. Ramsey as prime sponsor.

House Bill No. 846 Rep. Cooper as prime sponsor.

House Bill No. 880 Reps. Lamar, Chism, Harris, Powell and Jernigan as prime sponsors.

House Bill No. 888 Rep. Dixie as prime sponsor.

House Bill No. 1031 Rep. Towns as prime sponsor.

House Bill No. 1140 Rep. Todd as prime sponsor.

House Bill No. 1143 Rep. J. Sexton as prime sponsor.

House Bill No. 1304 Reps. Whitson, J. Sexton, Eldridge, Grills, Williams, Farmer, Leatherwood, Garrett, Kumar, Hazlewood, Warner, Travis, Calfee, Lafferty, Hall, Howell, Reedy, Wright, Lamberth, Carr, Powers, Griffey, Helton, Rudder, Crawford, Doggett, Gant, Alexander, Hulse, Holsclaw, Terry, Russell, Keisling, Halford, Todd, Bricken, Boyd, Darby, C. Johnson, Sherrell, Lynn and Zachary as prime sponsors.

House Bill No. 1351 Rep. McKenzie as prime sponsor.

House Bill No. 1398 Reps. Cepicky and Hawk as prime sponsors.

House Bill No. 1406 Rep. Dixie as prime sponsor.

House Bill No. 1416 Rep. White as prime sponsor.

MESSAGE FROM THE SENATE
April 22, 2021

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 566, 626, 1285 and 1534; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**ENGROSSED BILLS
April 22, 2021**

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill No. 1040;

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS
April 22, 2021**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolutions Nos. 394, 395, 396, 398, 399, 400, 401 and 402; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**SIGNED
April 22, 2021**

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 394, 395, 396, 398, 399, 400, 401 and 402.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 22, 2021**

MR. SPEAKER: I am directed to return to the House, House Bill No. 79; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 22, 2021**

MR. SPEAKER: I am directed to return to the House, House Bill No. 240; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 22, 2021**

MR. SPEAKER: I am directed to return to the House, House Bill No. 568; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
April 22, 2021

MR. SPEAKER: I am directed to return to the House, House Bill No. 1016; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
April 22, 2021

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 237, 258, 278, 284, 312, 315, 317, 339, 412, 464, 674, 742, 778, 1040, 1069, 1607, 1618, 1622 and 1626; substituted for Senate Bills on same subject and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
April 22, 2021

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 404, 405, 406, 407, 409, 410, 411 and 479; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
April 22, 2021

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 46, 280, 561, 588 and 1047; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 46** -- Sunset Laws - As introduced, extends the consumer advocate division in the office of the attorney general and reporter to June 30, 2023. - Amends TCA Title 4, Chapter 29 and Title 65, Chapter 4. by *Roberts. (HB319 by *Ragan)

***Senate Bill No. 280** -- Regional Authorities and Special Districts - As introduced, authorizes human resource agency board members to cast their votes by proxy; permits human resource agency boards, executive committees, and policy councils to conduct special or regular meetings by conference call or video conference, provided the electronic nature of the meeting is included in the meeting notice and opportunity for public participation is provided. - Amends TCA Title 13, Chapter 26. by *Rose, *Bowling. (HB622 by *Rudder)

***Senate Bill No. 561** -- Sentencing - As introduced, reduces the portion of a person's sentence for first degree murder that must be served prior to becoming eligible for parole to 60 percent of 60 years if sentenced to imprisonment for life for an offense committed during certain dates or 100 percent of 60 years if sentenced to imprisonment for life without the possibility of parole. - Amends TCA Title 39, Chapter 13, Part 2 and Section 40-35-501. by *Bowling, *Roberts, *Gilmore, *Akbari, *Reeves, *Robinson, *Yager, *Yarbro. (HB1532 by *Lamar, *Curcio)

THURSDAY, APRIL 22, 2021 – TWENTY-SEVENTH LEGISLATIVE DAY

***Senate Bill No. 588** -- Gaming - As introduced, requires Tennessee education lottery corporation board of directors and sports wagering advisory council to meet jointly for purposes of adopting rules and taking disciplinary action against a licensee. - Amends TCA Title 4; Title 14; Title 38; Title 39; Title 47; Title 49 and Title 67. by *Jackson. (HB1267 by *Gillespie, *Sexton C)

Senate Bill No. 1047 -- Tobacco, Tobacco Products - As introduced, adds use of vapor products to the acts that are prohibited in enclosed public places under the Non-Smoker Protection Act. - Amends TCA Title 39, Chapter 17. by *Southerland. (*HB705 by *Russell, *Gant, *White, *Sherrell)

SIGNED
April 22, 2021

The Speaker announced that he had signed the following: House Bills Nos. 54, 215, 293, 493, 525, 566, 925, 1238, 1336, 1353, 1513, 1537, 1558 and 1621.

GREG GLASS, Chief Engrossing Clerk

SIGNED
April 22, 2021

The Speaker announced that he had signed the following: Senate Bills Nos. 566, 626, 1285 and 1534.

TAMMY LETZLER, Chief Clerk

ENROLLED BILLS
April 22, 2021

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 146, 323, 388, 560, 669, 749, 851, 856, 961, 1049 and 1181; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

ENROLLED BILLS
April 22, 2021

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill No. 766; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

THURSDAY, APRIL 22, 2021 – TWENTY-SEVENTH LEGISLATIVE DAY

**MESSAGE FROM THE SENATE
April 22, 2021**

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 394, 395, 396, 398, 399, 400, 401 and 402; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE GOVERNOR
April 22, 2021**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill No. 83; with his approval.

LANG WISEMAN, Deputy and Counsel to the Governor

**MESSAGE FROM THE GOVERNOR
April 22, 2021**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bills Nos. 38, 47, 84, 86, 87, 88, 92, 188, 206, 298, 364, 651, 765, 831, 890, 976, 1091, 1097, 1098, 1112, 1168, 1343, 1448 and 1517; with his approval.

LANG WISEMAN, Deputy and Counsel to the Governor

**MESSAGE FROM THE GOVERNOR
April 22, 2021**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolutions Nos. 103, 350, 379, 381, 382, 383, 385, 387, 388, 389, 390, 391, 392 and 393; with his approval.

LANG WISEMAN, Deputy and Counsel to the Governor

**ENGROSSED BILLS
April 22, 2021**

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bills Nos. 784, 785 and 1286; House Joint Resolutions Nos. 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 481, 482, 483, 484, 485, 486, 487 and 488;

GREG GLASS, Chief Engrossing Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 91

Representatives present were Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton -- 91

RECESS

On motion of Rep. Gant, the House stood in recess until 4:00 p.m., Monday, April 26, 2021.